

July 2, 2008

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 2nd day of July at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Supervisor

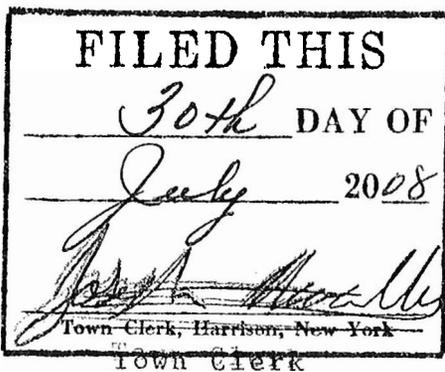
Joseph Cannella)
Patrick Vetere) Councilmen
Thomas Scappaticci)
Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney
Robert Paladino Village Attorney
Jonathan Kraut Deputy Village Attorney
Robert Wasp Commissioner of Public Works
David Hall Chief of Police
Judy D'Agostinis Director of Purchasing
Maureen MacKenzie Comptroller
Bob FitzSimmons Building Inspector
Ron Belmont Superintendent of Recreation
Anthony Marraccini Police Captain
Steve Surace Fire Marshal

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July 2, 2008

2008 - -335

REMARKS FROM SUPERVISOR JOAN WALSH
RE: CONDUCT FOR PUBLIC TOWN BOARD MEETINGS

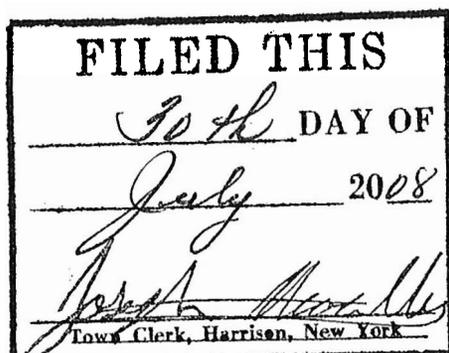
Supervisor Walsh began the meeting by clarifying the rules of conduct for public Town Board meetings. The Supervisor stated there has been a large attendance in the last two meetings however, she was disappointed in the lack of civility and decorum during those meetings. The Supervisor went on further to state she wanted to reiterate what the proper conduct for Town Board meetings was. The Supervisor stated that she left a copy of the Rules for Proper Conduct at Town Board Meetings” by the agendas in the back of the room for the audience members to have a copy. The Supervisor emphasized the following portions of the rules:

“all persons wishing to address the Board must first be recognized by the Chairperson and come to the microphone. The speaker must identify themselves by printing their name and address on the sign in sheet provided by the Town Clerk. Secondly, the speaker may address the Board before any votes are taken; however, the speaker must address the Board concisely in no more than five minutes. The speaker should confine themselves to the subject in hand and refrain from personal attacks. If such attacks are made by the speaker the speaker then will be immediately deemed out of order”.

The Supervisor asked that all members of the audience abide by these rules.

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ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the following correspondence and reports:

- 1a. Monthly report from the Building Inspector for May 2008.
 - 1b. Monthly report from the Harrison Police Department for May 2008.
 - 1c. Monthly report from the Town Clerk for May 2008.
 - 1d. Monthly report from the Harrison Recreation Department for May 2008.
 - 1e. Monthly report from the Fire Marshall for May 2008.
 - 1f. Monthly report from the Receiver of Taxes for May 2008.
2. Letter from Anja Porto stating that, as she was driving around Harrison she noticed the telephone poles decorated with tag sale notices and other moving information pasted on them, (and it) looks like a mess. She would like the Board to create a new law by which residents who do not remove the signs they posted be fined an amount of perhaps \$20 per day, after a few days have past the sale date. Since the Town employs a Constable, maybe he could issue the summons. Ms. Porto believes it's fair that people use the poles, but finds it offensive that they do not clean up after themselves.

Supervisor Walsh stated that the Town has no authority over the poles. They are owned by Con Edison and the Telephone Company. Supervisor Walsh further stated that she hopes the residents who place flyers on the poles would take pride in the Town and take them down after the event.

3. Letter from John Pizzi, Director of Athletics and Physical Education for the School of the Holy Child thanking Mayor Joan Walsh, Superintendent of Recreation Ron Belmont and the Town of Harrison for helping to sustain their athletics program this Spring. Mr. Belmont provided the School with the field at Silver Lake Park for their softball teams. Because of the efforts of Mr. Belmont and his staff, they had a tremendously successful spring season. Their softball team earned the most wins in school history and lost in the semi-final game of the New York State Association of Independent School Tournament. Their new synthetic turf field is complete and looks great, and they are very excited. Mr. Belmont and Mr. Pizzi have already worked out a schedule for the coming year, so that Holy Child can continue to utilize Silver Lake Park during the Fall and Spring athletic seasons and in exchange the Harrison Recreation Department will use the gymnasium for youth basketball during the winter and the grass and synthetic turf field for youth soccer at Holy Child.

4. Notification from William Gorton, Regional Design Engineer for the I-287 Cross Westchester Expressway on Reconstruction of Interchange 8 (Westchester Ave & White plains Ave.) that a public information meeting for the project will be held on July 9th at the White Plains Library from 7 to 9 PM.

Supervisor Walsh explained how this change will move the exit 8 from its current location to under the White Plains Avenue Bridge. Supervisor Walsh explained this change will mean the current intersection will go down from a four lane road to a two lane road which will cause a larger traffic disturbance. Another change will also be made at the Bloomingdale Road exit off I287 which will reduce it from a four lane road to a two lane road. Supervisor urged residents to attend this meeting.

Councilman Sciliano stated this was an important matter and unfortunately the Board has other business to attend to that evening. Councilman Sciliano asked if the Commissioner of Public Works would be going instead.

Supervisor Walsh stated the Commissioner was aware of the meeting and that the West Harrison Neighborhood Association was also urged to attend.

5. Notification from Kathleen Pacella, Town Clerk of Somers, that a Resolution was adopted at their June 12, 2008 Meeting, authorizing their Supervisor to sign the Croton Kensico Watershed Intermunicipal Coalition Agreement and appointed Mary Beth Murphy, Supervisor of the Town of Somers as delegate. The Agreement is between the Towns of Bedford, Cortlandt, Harrison, Lewisboro, Mt. Pleasant, New Castle, North Castle, North Salem, Pound Ridge, Somers, Yorktown and the Village of Mt. Kisco, whose land areas is located wholly or partially within the Croton or Kensico Watersheds.

6. Notice from Westchester County Executive Spano of a preliminary decision by the County to provide partial funding, under the East of Hudson Water Quality Investment Program, to construct sewers in the Quarry Heights section of the town of North Castle. The Notice states that if anyone objects to this decision, they have fifteen (15) days to object to it. The purpose of the project is to eliminate failing septic systems in the Quarry Heights area. The sewers will serve 60 homes in that area.

7. Report from the NYS Public Service Commission on its investigation of the "Reasonableness of Con Edison's restoration efforts following the September 2006 Storm Outage." The Findings of the Commission were that the efforts by Con Edison to restore service as soon as practicable after the outage were sufficient and that reimbursement of claims other than for spoiled food is not required. A full copy of the Commission's Report is available in the Town Clerk's office.

8. Letter of resignation by K. Patrick Enright, from the Board of Assessment Review, effective June 17, 2008. Mr. Enright has taken a position as the Director of Credit, in Landover, Maryland.

Adopted by the following vote:

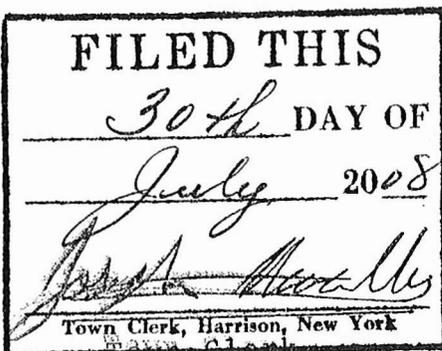
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

2008 -- 337 -- a

PUBLIC HEARING: RE: 55-33 CALVERT STREET (SEVILLE PLAZA)
FOR A SPECIAL EXCEPTION USE PERMIT FOR CONSTRUCTION OF
A NEW BUILDING TO INCLUDE RESIDENTIAL USES IN A PB ZONE

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

Linda Whitehead, attorney for the applicants, addressed the Board. Ms. Whitehead stated that she had done a brief presentation during the last meeting at which time the Fire Marshall had raised concerns over the fire codes with respect to the proposed structure. Ms. Whitehead stated her consultants have reviewed the NYS Building and Fire Codes and have reached the conclusion that the proposed plan is in full compliance.

Supervisor Walsh asked if the plan went before the Planning and Zoning Board.

Ms. Whitehead responded yes. The plan was before both the Planning and Zoning Board and approved by both.

Fire Marshal, Steve Surace addressed the Board and stated he had sent two letters to the Planning Board, one in September of 2006 and one in May of 2007 with major concerns about the proposed structure. Mr. Surace stated that he was not sure why the Planning Board approved the project without consulting with his office. Mr. Surace explained that the proposed structure does not meet the State Code "Chapter F 503 for Fire Apparatus Roads". The fire department would not have access to the building with ladder trucks or ground ladders from the rear of the building.

Supervisor Walsh and Councilman Scappaticci both questioned why the fire department could not access the building from the rear if the parking lot was there.

Mr. Surace explained that there are 13,000 volt wires running right over the parking lot which is a part of the MTA property.

Supervisor Walsh stated that a car is roughly 20 feet and they are parked their now.

Mr. Surace stated that he would not sign off on this project because it is his belief the proposed structure does not meet the code requirements. Mr. Surace further stated if the Board was to go forward with the project despite his objections the applicants would need to apply to the State Fire Code for a variance. Mr. Surace continued by stating he would go before the State Fire Code and object to the variance being granted on the ground that there is no rear fire access to the proposed structure.

Councilman Scappaticci questioned how the fire department would access the current structure there now which is a commercial use facility.

Fire Marshal Surace stated that the department would use ground ladders in the fifteen foot setback that is currently in place in the rear of the facility. The existing proposal does not have a fifteen foot setback to utilize.

Building Inspector Robert FitzSimmons addressed the Board and stated that he has gone through a brief State Code review because the applicants have not yet submitted full construction plans however it does comply with the Harrison Code by being granted certain variances. Mr. FitzSimmons explained that with regards to the State Code and Fire Apparatus, there are exceptions. If the building is fully sprinkled, you have access to the structure on three sides and if it is no more than 300 ft the structure does not need to have fire access from the rear. Mr. FitzSimmons further explained that the fire marshal is correct in that there will be no fire access in the rear.

Mr. Surace stated that the exceptions Mr. FitzSimmons discussed are granted only when one of the code officials approves it. Mr. Surace explained that usually, only 150 ft is approved. He also explained that there will be no way for the Fire Department to fight a fire in the rear of the structure.

Marie DiMateo, resident, addressed the Board and stated a variance should be granted for a hardship not for the benefit, in this case, of the developer. Ms. DiMatteo further explained that one variance granted for this project was for the setback which the Zoning Code states a 20 foot setback is needed. A variance was given for 20 feet in essence nullifying the code. Another variance that was given was for the lot size. The maximum lot coverage for a building of this size is only to be fifty percent. A variance was given for 92%. Ms. DiMatteo continued by stating the Zoning Codes in this area only allows for two story buildings, the proposal consists of a three story building. Ms. DiMatteo went on further to state we do not know how many bedrooms there will be in each condo. It was explained that these condos would be marketed to empty nesters however the Town can not discriminate and therefore it is unclear how many residents would be added to the Town and schools. Ms. DiMatteo asked the Board to vote no on the proposal.

Councilman Vetere questioned if Ms. DiMatteo attended the Planning Board meeting to discuss the proposed project.

Ms. DiMatteo responded no, she was unaware the project was being proposed. Ms. DiMatteo went on further to state the Town needs to be responsible in the decisions they make. Councilman Vetere stated that Ms. DiMatteo should be more responsible as well.

Ms. DiMatteo stated the proposal has gone completely against the zoning rules for the Town of Harrison.

Various members of the Harrison Residents Committee objected.

Jana Rosenthal, resident stated “over the past few years many Harrison residents have become increasingly concerned about decisions regarding development in our town. Accordingly, a resident group was formed in 2007, called the ‘Harrison Residents’ Committee’ (HRC),

consisting of members encompassing every electoral district, in a town of some 23,000 Harrison voters.”

Each committee member introduced themselves to the Board.

The Committee read the following statement in unison:

“we are frustrated and disappointed that we continue to see significant zoning variances granted regularly, open space disappearing, wetlands compromised, trees illegally cut down, among other violations. Due to an irresponsible lack of comprehensive town planning, houses and streets continue flooding, home foundations continue cracking from blasting, tree lined streets continue disappearing, and more and more Harrison children are being educated in unsatisfactory school buildings. The bucolic character of our town is slipping away, and along with it, our quality of life”.

Ellen Kaidenow, resident stated “the Harrison Residents’ Committee has made every effort to work through the proper channels to make our concerns known to Harrison town leadership. Since you are elected representatives, we hoped that you would listen to the wishes of the majority of your voting constituency. We have dedicated valuable time to communicate, and work with you because we care about our community. It feels like you are ignoring us since we continue to observe the same “modus operandi”.

Last year, three Master Plan Resident Meetings were held in each area of town so residents could share their concerns, and ideas for the future of Harrison, with you. This was not meant to be a perfunctory “exercise” that you just “do” in order to cross it off your agenda. We were, and still are, very serious about preventing our town government from over-developing Harrison and ruining our quality of life. This is why we continue to have representatives at almost every Planning Board and Town Board Meeting. We are not “going away”, and once again, we are respectfully asking you to listen to us, the majority of voting Harrison residents. Work with us to forge a balanced, realistic Updated Comprehensive Master Plan for the Town of Harrison, which respects the environment, our quality of life, as well as the economy.

The Committee read the following statement in unison:

“in previous written and verbal presentations, we have made the following statements clear, but we repeat them again:

WE DO NOT WANT FURTHER DEVELOPMENT WHICH WOULD REQUIRE RE-

ZONING, POSE SIGNIFICANT ENVIRONMENTAL RISKS; OR SIGNIFICANT VARIANCES, UNTIL AN UPDATED COMPREHENSIVE MASTER PLAN FOR HARRISON IS COMPLETED. FURTHERMORE, WE DO NOT WANT HIGH DENSITY DEVELOPMENT OF ANY KIND.”

Anne Gold from PEPA read the following statement:

“the only logical and responsible method for proceeding is to design and implement an integrated and systematic management approach to future development through a comprehensive analysis of the development needs of our town and its realistic development potential.

Currently, we have a glut of homes on the market in Harrison, yet, this board continues to approve developments such as Calvert Street, Sherman Avenue, and many others in Purchase and West Harrison. More building will only put further stress on the already overburdened infrastructure and facilities in our town, such as storm water drains, municipal services, schools, and fragile ecosystems. You continue to approve building plans with seemingly little recognition of the larger problems such over-development brings.”

The Committee read the following statement in unison:

“we are asking for a moratorium on variances and further development that increase the density of property use beyond its current purpose or pose serious environmental issues, until a comprehensive Master Plan update is completed.”

Anne Gold, from PEPA continued by stating:

“all efforts must be channeled into a Master Plan Update that will finally manage development for the town as a comprehensive whole. This update must comprise a review of development potential in Harrison area by area, including an inventory of environmentally sensitive areas, such as steep slopes, flood storage areas, wetlands, historic resources, open space, as well as passive and active recreation areas.

These findings then need to be formalized in an Environmental Management Plan. It should include: a supplemental plan for storm water management, a ‘no blasting’ law, a strictly enforced tree protection program by increasing penalties for unauthorized removal and requiring replacement by a tree of the same type and height as any illegally removed tree. This plan must

also incorporate stronger, and more effective, steep slope ordinances to protect against the problems of erosion, sedimentation, and flooding that regularly occur as a result of development. Lastly, the two reports (development trends and environmental plan) must be overlaid to identify how development can be managed to protect and enhance Harrison as we move into the future.”

The Committee read the following statement in unison:

Given the problems already facing Harrison residents, due to excessive development, anything less than such a moratorium on re-zoning, significant variances and related development, coupled with a procedure for completing an Updated Comprehensive Master Plan, is unacceptable and will be viewed as negligent on your part, as our representatives.

We ask you to take this request seriously, to work with us to achieve these goals, and to responsibly represent the citizens of Harrison on these now critical issues. A healthy future for Harrison, both environmentally and economically, depend on it.

Thank you.

Gerry Pugliese, resident, addressed the Board and stated he was not opposed to the project but questioned how the changing from a commercial property to a residential property would impact his commercial building across the street from the proposed site.

Supervisor Walsh stated Mr. Pugliese’s zone would not change and therefore not be affected.

Marie DiMatteo addressed the Board and questioned if the zoning would be changed for the proposed site.

Supervisor Walsh stated the applicants are requesting a special exemption use permit which would enable them to change the use of the property from commercial to residential.

Ms. DiMatteo stated the Board would be setting a precedent for other future projects.

Linda Whitehead addressed the Board and stated there will be 24, 1 and 2 bedroom units in the proposed structure, there will be no three bedroom units. Ms. Whitehead clarified that a special exemption use permit is not an exemption but rather it is provided for in the zoning. The Town Board that has adopted the zoning made a decision that the residential use is appropriate in the zone provided certain conditions are met. Ms. Whitehead also stated there is no requirement for a hardship for a variance. The variances were granted on five factors and were considered in great detail by each Member of the Board. Ms. Whitehead explained there have been at least seven Planning Board meetings and seven Zoning Board meetings regarding this project. Those

meetings were well advertised in advance and no members of the public spoke against the project at any meetings. Ms. Whitehead concluded by stating the power lines referred to earlier are about 40 ft from the property line. Ms. Whitehead also believes this project tonight was used to make a broader statement about planning in the Town.

Mary Malara addressed the Board and clarified that the Harrison Residents Committee spoke out against the project this evening because it encompassed many of the factors they wish the Board to consider including not granting variances, not granting special exemption use permits, and no further change in zoning.

Robert Porto, resident, addressed the Board and stated he was opposed to the project. Mr. Porto did not believe there was a need for a three story building and asked the Board to stick to the Code.

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

Councilman Scappaticci stated he did not have any problems with the plans.

Councilman Sciliano stated that as an ex-Fire Chief, firematically; he had concerns with the proposed structure. Councilman Sciliano stated that he did look at the site of the proposed project and was also concerned with the high tension wires in the front of the building. Councilman Sciliano went on further to state that it is imperative that local community groups attend Planning Board, Zoning Board and Architectural Review Board meetings to voice concerns over projects like this because it puts the Town Board in a very bad position.

Councilman Vetere stated that if there were no objections at the Planning and Zoning Board meetings it makes it very hard for the Town Board to object to the project. Councilman Vetere went on further to state he was supportive of the project.

Councilman Cannella stated it was a shame that there were no members of the community who voiced there concerns regarding this project at the Planning and Zoning Board meetings. Councilman Cannella went on further to state notwithstanding that he has concerns over the density of the proposed structure and what it might do to the area and future construction and therefore would like the Planning Board to re-evaluate the proposal. Councilman Cannella continued by stating he is aware of other structures.

Supervisor Walsh stated the Town Board must respect the expertise of the Planning and Zoning Board as well as the Building Inspector. However, there have been concerns raised by the Fire Marshal regarding this project and for that reason the Supervisor agreed that the matter should be referred back to the Planning Board for review of the density and fire safety of the building.

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FILED THIS
30th DAY OF
July 2008
[Signature]

July 2, 2008

2008 -- 337 -- b

REFERRED BACK TO THE PLANNING BOARD: RE: 55-33 CALVERT STREET
(SEVILLE PLAZA) FOR A SPECIAL EXCEPTION USE PERMIT FOR CONSTRUCTION
OF A NEW BUILDING TO INCLUDE RESIDENTIAL USES IN A PB ZONE

On motion of Councilman Cannella, seconded by Supervisor Walsh,

it was

RESOLVED to refer the request from 55-33 Calvert Street for a special exception use permit for construction of a new building to include residential use in a PB zone to the Planning Board in order to review the density and fire safety of the proposed project.

FURTHER RESOLVED to forward a copy of this Resolution to the Planning Board, the Building Inspector, the Fire Marshal and the Town Attorneys.

Adopted by the following vote:

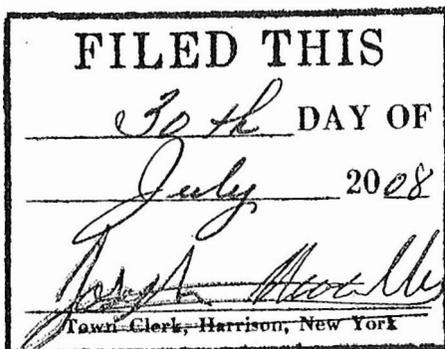
AYES: Councilmen Cannella, Scappaticci and Sciliano
Supervisor Walsh

NAYS: Councilman Vetere

ABSENT: None

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July 2, 2008

2008 - -338

APPROVAL OF AN OUTDOOR ASSEMBLY PERMIT
RE: DAWSON COURT

Supervisor Walsh stated that Dawson Court is currently a private road in Purchase and the residents have arranged to have a party tomorrow evening and have erected a tent for the event. However, the residents were unaware they needed a tent permit.

Laurie Silver, resident of Dawson Court addressed the Board and stated that the tent measures 15ft x 20ft and is located just outside of the right of way of the cull de sac.

Jonathan Kraut, Deputy Village Attorney, stated that the residents are asking for an outdoor assembly permit. Mr. Kraut explained that there is an automatic fee waiver for private residents having an outdoor assembly and he believes if the Board was to grant the outdoor assembly permit the only other matter which has to be considered is that the tent being built conforms to the building and fire code.

Councilman Sciliano stated that he had concerns with the tent being built in the roadway.

Councilman Cannella stated that the Board should grant the outdoor assembly permit and refer the matter of the tent to the Fire and Building Inspectors.

Fire Marshal Steve Surace addressed the Board and stated that the tent requires a permit by State Code. Mr. Surace further stated he had concerns about the location of the tent but would visit the site tomorrow morning to find a better location for the tent.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to grant approval for an outdoor assembly permit to the residents of Dawson Court.

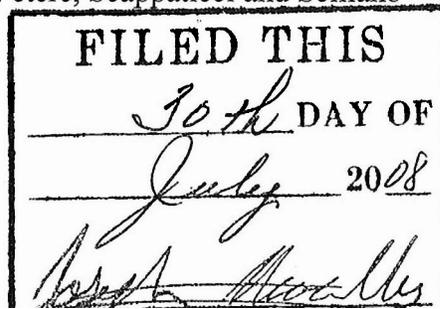
FURTHER RESOLVED to forward a copy of this Resolution to the Building Department, Fire Marshal and Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None



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2008 - -339

DISCUSSION: RE: POLICE ISSUE

Deborah Notkin, resident, addressed the Board and stated that she watched the last two Board meetings and was dismayed at the nature of them. Mrs. Notkin stated that all residents feel strongly about the police issue and everyone should be allowed to speak and be given courtesy when speaking. She stated that she supported the idea of a special investigator and confidential community review panel because it is her belief that there is an apparent lack of consistent protocol. It is Mrs. Notkin's claim that the youth within the community are treated differently based on who they are or who they know. Mrs. Notkin went on to state there have been instances in which students have been arrested at school in front of others while other students were called and asked to surrender privately at Police Headquarters. She continued by explaining she feels strongly that there is a lack of consistency and protocol in the Police Department and welcomes an investigation.

Arlene Perizzini addressed the Board and stated that she would like to present the Town Board with a petition signed by 100 Senior Citizens. Mrs. Perrizzini explained that members of the Senior Citizens group felt it necessary to form a petition in order to rebuke a statement made by resident Lucille Held at a prior Town Board meeting in which Mrs. Held stated the Seniors were afraid of the Police. The cover of the petition read as follows:

We the undersigned Senior Citizens of Downtown Harrison would like you to know that we DO NOT fear our Police Department. We respect and embrace them as valued members of our community. Their protection, helpfulness and generosity (especially Chief Dave Hall) is greatly appreciated. We want you to know how we feel.”

Supervisor Walsh asked if this petition was the same petition that was circulated at the Senior Center last Friday.

Mrs. Perizzini explained that the petition was started on Thursday, June 19, 2008 by members of the Senior Citizens group.

Ada Angarano, resident, addressed the Board and read the following statement:

I am President and CEO of the Harrison Chamber of Commerce. I am here tonight to read a statement of my concerns for both the Merchants and Residents of this Great Town of Harrison. The media sideshow created by the Harrison Town Board's unanimous vote to hire a private investigative firm has given us all reason for concern. **Many, many** people in Harrison feel that an investigation of the Harrison Police Department would not only be a great mistake, but also a great injustice to the Harrison Police Department, the residents and the merchants of Harrison.

Let the processes that are already in place work it out and resolve these issues.

We live in a community where crime is at an absolute minimum, Drugs are in check and there are little or no violent crimes. This is all due to the proactive work done by our entire Police department under the leadership of Chief Dave Hall. Our police department is one of the most well respected police forces in the state of New York.

If a private firm is indeed hired to investigate, you will now cause police officers to be looking over their shoulders and hesitating to react being fearful of being investigated or even sued. A split second is all it takes for a crime to take place, or a resident's life to be saved. This hesitation to react **will** put our merchants in jeopardy as well as our residents. This is **our hard earned income** we are talking about, which will pay for this investigative firm, our economy is bad enough without adding an extra tax burden to Harrison residents! **Please**, reconsider your options, and let Harrison get back to being the Great town we all know it is and would like to keep it as. With the hiring of a private investigative agency, the Harrison Town Board will be **opening a "Pandora's Box"**.

Supervisor Walsh stated she would like it to go on record that it was not the Town Board that invited News Channel 12 to the meeting this evening.

Albert J. Pirro, Jr. Esq., resident and attorney representing Chief David Hall addressed the Board. Mr. Pirro stated that he was glad the Board went over the guidelines for Town Board meetings. He asked Supervisor Walsh to clarify whether or not the lawsuits against certain individuals in the Police Department would be the subject of the independent investigation. He explained that Supervisor Walsh stated that at the last Town Board meeting that the pending lawsuits would not have any thing to do with the investigation.

Supervisor Walsh stated that Mr. Pirro was correct. The lawsuits would not be the subject of the investigation.

Mr. Pirro continued by stating there have been three lawsuits which have already been dealt with and the remaining ones should be handled by the court system. He asked the Town Board to take into consideration that the word "investigation" be eliminated from all dialogue in this Town. Mr. Pirro believes that all the word does is in-flame a media blitz that can be avoided. He also stated that if the Board is going to analyze police policy and procedure he would like the Board to be aware of the Division of Criminal Justice Services. It is the proper division to offer advice on how complaints against the police are handled.

Mrs. Walsh stated that the civil lawsuits are a separate and distinct matter and have no part in the investigation into the Police Department.

Mr. Pirro asked the Supervisor if she believes the Police Department should be investigated based on some other complaints.

Supervisor Walsh responded yes.

Mr. Pirro stated that he has foiled these alleged complaints against the Police Department from Supervisor Walsh so that he can see which complaints the Supervisor is referring to.

Lucille Held, resident, addressed the Board and stated the statement she made at a previous Town Board meeting regarding Senior Citizens being afraid of the Police was not a blanket statement and that she did not mean all of the Senior Citizens in Town were afraid of the Police.

Mrs. Held explained that she was referring to what she was told while working as a poll inspector from two members of the Senior Citizens group. She apologized to all the Seniors.

Jonathan Abady, attorney for Captain Marraccini and Sgt. Edward Lucas addressed the Board and stated that in 2001-2002 a previous Town Board commissioned an evaluation to examine the Harrison Police Department for the sum of \$23,000. The study resulted in over 50 recommendations with the Town Board choosing not to implement any of the recommendations. Mr. Abady explained one of the first points of the study was that the Harrison Police Department was unnecessarily politicized. The study went on to warn the Town against getting involved with politicizing matters regarding the police in the future. Mr. Abady stated he is objecting on behalf of his clients on what the Town Board is doing not because his clients feel they have done something wrong, but because there had already been numerous litigations in the court system and this evaluation will cost ten of thousands of dollars. He stated that he has FOIL'ed the alleged complaints that are purportedly the basis of this investigation. Mr. Abady continued by stating he would like to view these said complaints and put them into context because it is his contention that if the complaints are found to be similar to the lawsuits currently pending in the courts then the complaints are frivolous.

John Grebert, Executive Director of the NYS Chiefs of Police addressed the Board. Mr. Grebert stated that it is his understanding that the Town Board is preparing to review the Harrison Police Department. Mr. Grebert went on to state that it is also his understanding that the Harrison Police Department is in the process of being reviewed for accreditation by the NYS Law Enforcement Council. Mr. Grebert explained that the members of the Accreditation Council are appointed by the Governor and held to the highest standard. He further explained that the Council's purpose is to evaluate and review procedures and policies to see if they meet 130 standards established by the Council. He said that if the Board was looking for an independent investigation, they should consider using the NYS Law Enforcement Council. He further explained that he is concerned that the basis of this investigation is anonymous complaints and that the Police Department has not even been given the opportunity to refute these complaints which goes against the nature of justice in society.

Supervisor Walsh stated that the accreditation process for the Police Department had been underway for 3 to 4 years prior to her taking office. She explained that when she took office she asked the Chief to complete the process and move the accreditation along. Supervisor Walsh went on to state that she has heard many members of the audience state that the complaints against the Police Department are anonymous. Mrs. Walsh explained that the complaints she has received against the Police are not anonymous, however, she refuses to make the complainants name public because they are afraid to go to the Chief or the Captain and that is why the investigation is taking place.

Village Attorney Robert Paladino stated that the Harrison Police Department has printed out the rules of policies and procedures for the accreditation process. These rules and policies were effective July 1, 2008 and circulated to all members of the Department and were also submitted to the NYS Law Enforcement Council. A walk through of the Police Headquarters will take place as well as a final evaluation. Mr. Paladino explained he anticipated the accreditation process would be completed by September or October 2008.

Elizabeth Pritchard, resident addressed the Board. Mrs. Pritchard stated the Board depoliticized the Police Department when they authorized this investigation. Mrs. Pritchard stated it was not the Board who created a sideshow at the last few Town Board meetings, it was the invited guests. Mrs. Pritchard went on to state that she truly believes in the Police Department and wants this cloud lifted, however, it was unfair for Mr. Pirro to state that all complaints against the police have been anonymous because that is untrue. Mrs. Pritchard explained that there are complaints from known residents who believe there are inconsistencies in the policies and procedures of the Police Department.

Lucille Held addressed the Board and stated that Chief Hall confessed to the Board at the last Town Board meeting that his department has a few officers with a few rough edges. Mrs. Held stated that is a confession no Department Head should make because it is their job to deal with said officers who have edges.

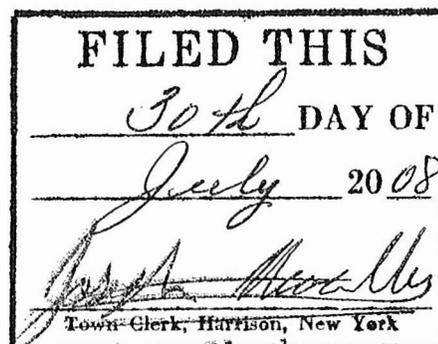
Norman Rosenblum addressed the Board and stated that a defendant can only defend themselves if the accusers are known. Mr. Rosenblum went on to state that the Chief and members of the department who have complaints against them have the right to know who the complainants are so they too may defend their complaints.

Councilman Cannella stated that he and his colleagues strongly disagree with the way the Mayor has handled these matters over the past thirty days. Mr. Cannella stated we are discussing a consultant not an investigator and he didn't understand why people are opposed to this evaluation. Today, he delivered a proposed scope of the evaluation including possible firms. He continued by stating this is not an investigation or witch hunt. He supports this and believes this is the opportunity to get somebody to look at any community complaints without any bias. He went on to state that this will be a very short process, most likely 60 – 90 days. He further stated that he supports the police but that does not mean he doesn't think about ways to make improvements. Mr. Cannella continued by stating that the evaluation will not go near the pending litigations that would lead to inquiries.

Supervisor Walsh stated that she did not go to the press with this matter. She explained that when the press did call her office she tried to be as restrained as possible. The Supervisor asked that there be no more public comment regarding this evaluation or investigation because whatever you call, it will have the same goal.

At this time the Board took a ten minute recess.

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



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 - Purch'g
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 - Supvs'r

July 2, 2008

2008 - - 340

ACCEPTANCE, WITH REGRET, OF THE RETIREMENT/DISABILITY
OF MARGARET MINISHI-HARMON

Supervisor Walsh thanked Mrs. Harmon for her 26 years of service in the Recreation Department.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept, with regret, the retirement/disability of Margaret Minishi-Harmon, effective May 21, 2008.

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:

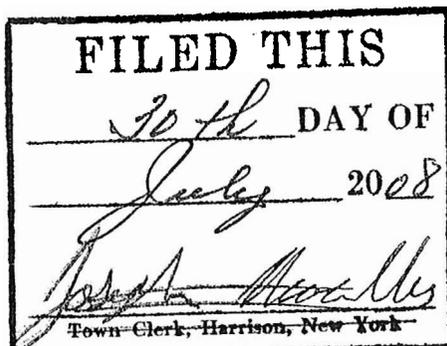
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

2008 - - 341

CONFIRMATION OF THE APPOINTMENT OF CHRISTOPHER VAUGHN TO
THE POSITION OF LIBRARY PAGE, AT THE HOURLY RATE OF \$9.00

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to confirm the appointment by the Library Board of Trustees of Christopher Vaughan to the position of Library Page, effective July 3, 2008, at the hourly salary rate of \$9.00.

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

Adopted by the following vote:

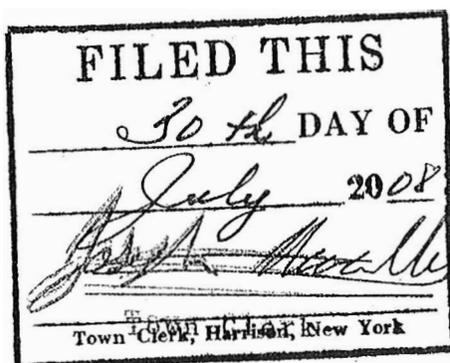
AYES: Councilmen Cannella, Sciliano, Vetere and Scappaticci,
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supvs'n
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July 2, 2008

2008 - - 342

CONFIRMATION OF THE APPOINTMENT OF ROBERT BLAKE TO THE POSITION OF TRUSTEE OF THE HARRISON PUBLIC LIBRARY.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to confirm the appointment by the Library Board of Trustees of Robert Blake to the current vacant position of Trustee of the Harrison Public Library, for a term to commence on July 3, 2008 and to expire on December 31, 2012.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of the Library.

Adopted by the following vote:

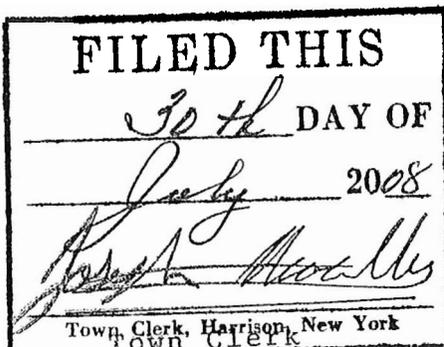
AYES: Councilmen Cannella, Sciliano, Vetere and Scappaticci,
Supervisor Walsh

NAYS: None

ABSENT: None

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 Engrng
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July 2, 2008

2008 - - 343

ACCEPTANCE, WITH REGRET, OF THE RESIGNATION OF ERIC T. DIBUONO,
AS A ROAD MAINTAINER IN THE HIGHWAY DIVISION OF THE DPW.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve, with regret, the resignation of Eric T. DiBuono, Road Maintainer in the Highway Division of the Department of Public Works, effective June 26, 2008.

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

Adopted by the following vote:

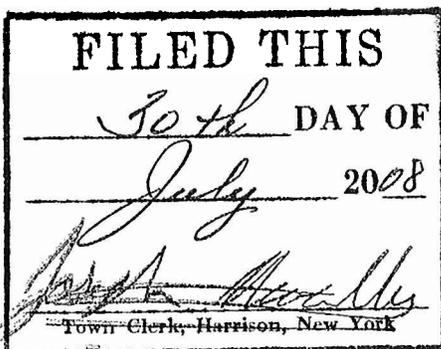
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

2008 - - 344

AUTHORIZATION FOR THE CHIEFS, OFFICERS AND MEMBERS OF THE WEST HARRISON FIRE DEPARTMENT TO ATTEND THE FIREHOUSE EXPO IN BALTIMORE, MARYLAND, JULY 25 – 27, 2008. COST: \$5,000.

On motion of Councilman Scappaticci, seconded by Councilman Sciliano,
it was

RESOLVED to approve the request of West Harrison Fire Chief Pat Galluzzo for authorization for the West Harrison Fire Department Chiefs, Officers and Members to attend the Firehouse Expo in Baltimore, Maryland from July 25 through July 27, 2008.

FURTHER RESOLVED to authorize the Comptroller to issue an advance check in the amount of \$5,000 to cover these expenses, with any unused funds to be returned to the Comptroller, together with receipts for all expended funds.

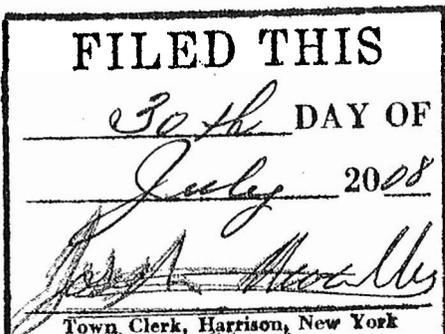
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and Chief Galluzzo.

Adopted by the following vote:

- AYES: Councilmen Cannella, Sciliano, Scappaticci and Vetere
Supervisor Walsh
- NAYS: None
- ABSENT: None

Copies to:

- Assessor
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- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r



July 2, 2008

2008 - - 345

AUTHORIZATION FOR THE 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 the following Part-time Availability List:

<u>NAME</u>	<u>HOURLY RATE</u>
Cassarella, Joanne	\$ 7.25
Castiglia, Tara	8.00
Huhne, Charles	10.00
Loizou, Andrea	10.00
Marsico, Loni (LG 13.00)	10.00
Puliafico, Nicholas (LG)	7.50
Rivera, Ashley	6.75
Scappaticci, Michael (LG)	9.50
Sgro, Jeffrey	6.75
Valencia, Julian	6.75
Wagner, Mark	6.75

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:

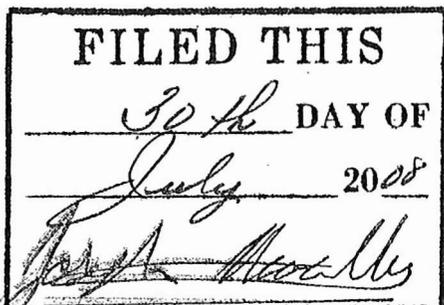
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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July 2, 2008

2008 - - 346

AUTHORIZATION TO INCREASE THE HOURLY RATE OF PAY
FOR JOSEPH HINES FROM \$10 TO \$11 PER HOUR.

On motion of Councilman Cannella, seconded by Councilman

it was

RESOLVED to authorize the increase in the hourly rate of pay for Joseph Hines from \$10 to \$11 per hour.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of Personnel, the Comptroller and the Town Attorneys

Adopted by the following vote:

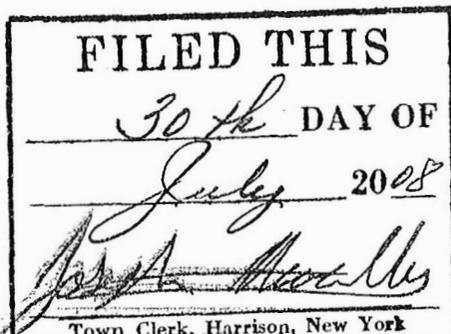
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

2008 - - 347

AUTHORIZATION FOR THE PAYMENT OF \$125,000 TO
THE HARRISON VOLUNTEER AMBULANCE CORPS AS
THE THIRD INSTALLMENT OF THEIR 2008 FUNDING

On motion of Councilman Cannella, seconded by Councilman Scappaticci,
it was

RESOLVED to authorize the payment of \$125,000 to the Harrison Volunteer Ambulance Corps (HVAC) as the third installment of their funding.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Board of Trustees of the HVAC.

Adopted by the following vote:

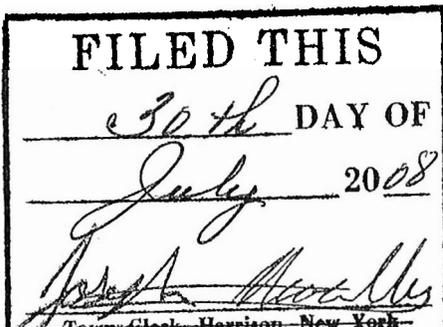
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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July 2, 2008

2008 - - 348

AUTHORIZATION FOR REMUNERATION FOR JUDGE ROGER SIRLIN OF
MAMARONECK VILLAGE COURT FOR SERVICES RELATING TO A SPECIFIC CASE
IN HARRISON'S TOWN COURT COST: \$1,250.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED approve the request of Court Clerk Rosemary King for authorization for remuneration for Judge Roger Sirlin of the Village of Mamaroneck for presiding over five (5) matters in the Harrison Town Court, in the amount of \$1,250.

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

Adopted by the following vote:

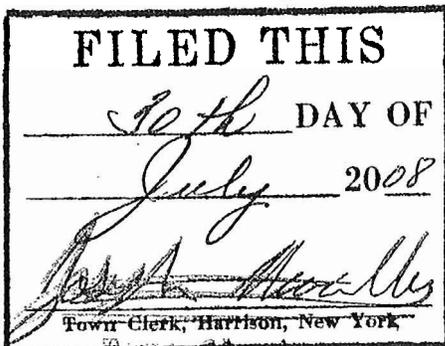
AYES: Councilmen Cannella, Sciliano, Vetere and Scappaticci
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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 P. Wrks
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July 2, 2008

2008 - - 349

AUTHORIZATION TO ACCEPT SEVENTEEN FILE CABINETS FROM MASTERCARD

Village Attorney Robert Paladino stated that twelve (12) file cabinets have been delivered to the Police Department. Mr. Paladino stated these twelve (12) file cabinets were part of the Harrison Police Departments accreditation efforts to reorganize the records department. These twelve cabinets have been installed in the newly designed attic record space located in the attic of the Police Headquarters.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept seventeen (17) file cabinets from MasterCard.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of Purchasing, the Village Attorney and the Chief of Police.

Adopted by the following vote:

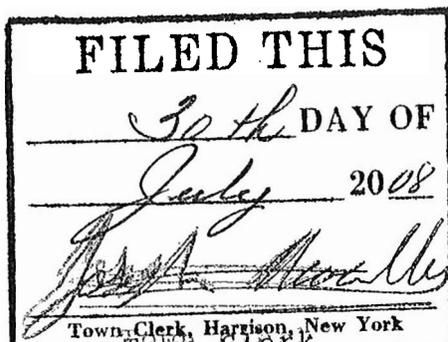
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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July 2, 2008

2008 - - 350

AUTHORIZATION FOR PURCHASE ORDER NO. 281684 FOR FIRE COATS, BUNKER PANTS AND FIRE BOOTS FOR FIRE DISTRICT NO. 2. COST \$13,899.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinins for authorization for Purchase Order #281684 for Fire District #2 for the following:

<u>QUANTITY</u>	<u>ITEM</u>	<u>UNIT RATE</u>	<u>TOTAL AMOUNT</u>
6 EA	Globe Cairns Reaction Fire Coat	1192.00	7,152.00
6 PR	Globe Cairns Reaction Bunker Pants	799.00	4,794.00
7 PR	Warrington PRO #5006 14" Fire Boot	279.00	1,953.00
	Grand Total:		13,899.00

FURTHER RESOLVED that funding is available in account #001-3411-100-04-23.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Director of Purchasing and the Chief of Fire District #2.

Adopted by the following vote:

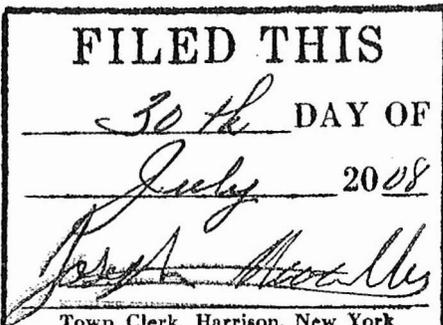
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- Assessor
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- Bldg
- Compt'lr
- Engrng
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- P. Wrks
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- Recr'tn
- Supvs'r



July 2, 2008

2008 - - 351

AUTHORIZATION FOR AN EXTENSION TO MARCH 31, 2009 TO OBTAIN A BUILDING PERMIT AND A TIME FRAME OF TWENTY FOUR MONTHS FROM THAT DATE TO SUBSTANTIALLY RECONSTRUCT A HOME AT 20 GRISWOLD ROAD THAT WAS DESTROYED BY FIRE.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Attorney Joseph Sack on behalf of his client Jan Karst, (re: section 235-51 (E) of the Town/Village Code) for authorization for an extension to March 31, 2009, to obtain a building permit, and a time frame of twenty four (24) months from that date to substantially reconstruct their home at 20 Griswold Road that was destroyed by fire.

FURTHER RESOLVED that the Karst family complements and thanks the Building Department for all their help during this process.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Department, the Commissioner of Public Works and Mr. Sack.

Adopted by the following vote:

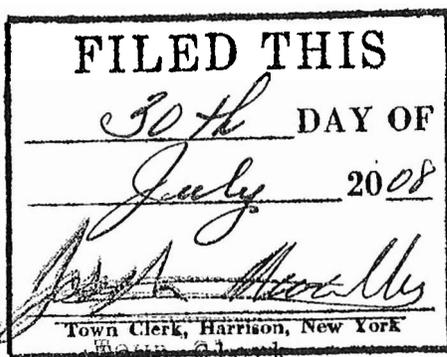
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

Assessor
 Benefits
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 Engrng
 Law
 Police
 P. Wrks
 Purch'g
 Recr'tn
 Supvs'r



July 2, 2008

2008 - - 352

APPROVAL FOR A BID AWARD TO BONISTALL ELECTRIC FOR
A 1989 FORD UTILITY TRUCK. COST \$10,000.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization for a Bid Award to Bonistall Electric, 27 Purdy Street, Harrison, NY, for a 1989 Ford Utility Truck, at their total bid price of \$10,000.

FURTHER RESOLVED to authorize the Law Department to prepare a Bill of Sale.

FURTHER RESOLVED to authorize the Director of Purchasing and the West Harrison Fire Department to transfer ownership of this vehicle to Bonistall Electric.

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

Adopted by the following vote:

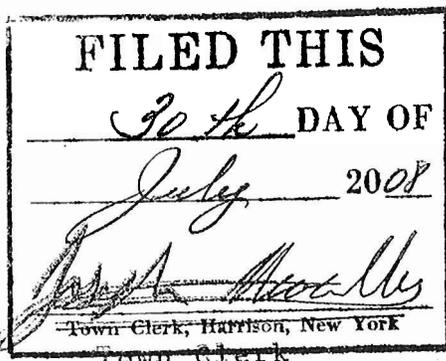
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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- Purch'g
- Reer'tn
- Supvs'r



July 2, 2008

2008 - - 353

APPROVAL TO SET THE DATE OF AUGUST 7, 2008 FOR A PUBLIC HEARING
RE: DISCIPLINARY PROCEEDINGS.

Town Attorney Frank Allegretti stated that for the public's notification this Hearing will take place on August 7, 2008 and will be a continuation of the previous hearing that occurred on May 15, 2008.

Supervisor Walsh stated that this Hearing will consider whether a new local law should be passed to give authority to the Town Board to appoint a Hearing Officer to hear testimony for Disciplinary Hearings when the full Board is unable to do so.

Councilman Cannella stated to be clear for the record; the Hearing Officer would not make a decision regarding the Disciplinary Hearing. The Hearing Officer would simply develop the facts of the Hearing.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti to set the date of August 7, 2008 for a Public Hearing, re: Disciplinary Proceedings.

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

Adopted by the following vote:

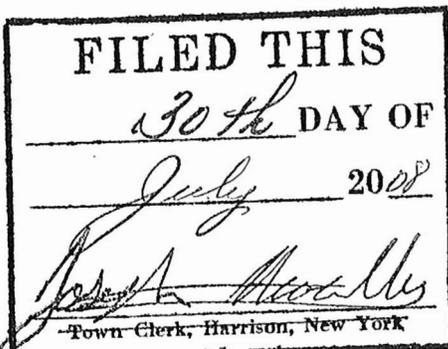
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r
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July 2, 2008

2008 - - 354

APPROVAL TO SET THE DATE OF AUGUST 7, 2008 FOR A PUBLIC HEARING
RE: 400 WESTCHESTER AVENUE, LLC (FORDHAM UNIVERSITY) FOR AN AMENDED
SPECIAL EXCEPTION USE PERMIT, FOR AN ADDITIONAL PARKING AREA AND
BEE-LINE BUS PASSENGER SHELTER IN PREVIOUSLY DISTURBED LOCATIONS ON
THE MENTIONED PROPERTY.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of attorney Seth Mandelbaum, on behalf of his client, 400 Westchester Avenue (Fordham University) to set the date of August 7, 2008 for a Public Hearing, re: Special Exception Use Permit for Fordham University.

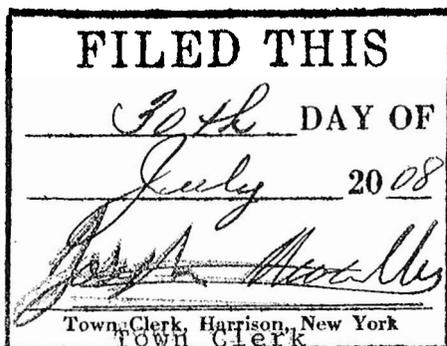
FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys and Mr. Mandelbaum.

Adopted by the following vote:

AYES:	Councilmen Cannella, Scappaticci, Vetere and Sciliano Supervisor Walsh
NAYS:	None
ABSENT:	None

Copies to:

- Assessor
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- Recr'tn
- Supvs'r
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July 2, 2008

2008 -- 355

AUTHORIZATION FOR AN ASCAP LICENSE AGREEMENT RENEWAL
PROPOSAL SERVICES FOR THE TOWN OF HARRISON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the ASCAP License Agreement renewal proposal services for the Town of Harrison.

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

Adopted by the following vote:

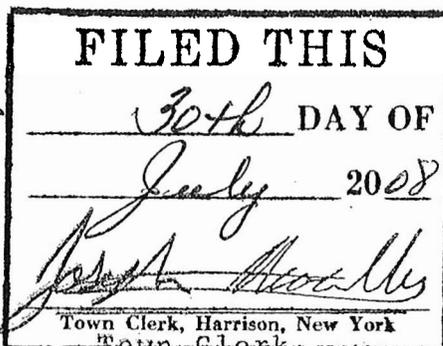
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r



July 2, 2008

2008 - - 356

ADJOURNED TO EXECUTIVE SESSION: REQUEST BY ATTORNEY JOHN AND MRS. VOETSCH FOR THE TOWN BOARD TO GRANT THEM A LICENSE AGREEMENT TO MAINTAIN THE PRESENT LOCATION OF THE FENCE THAT SEPARATES THEIR PROPERTY FROM TOWN PROPERTY

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to adjourn this matter to executive session for advice of counsel.

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

Adopted by the following vote:

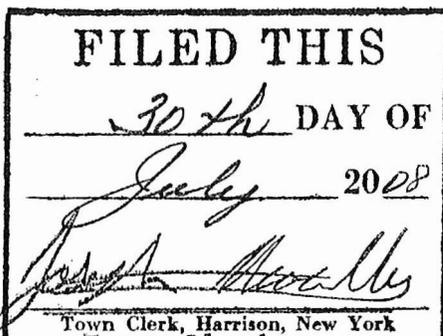
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

Assessor
 Benefits
 Bldg
 Compt'lr
 Engrng
 Law
 Police
 P. Wrks
 Purchg.
 Rec'n
 Supervisr



July 2, 2008

2008 - - 357

REMARKS FROM ALBERT PIRRO
RE: ALLEGED COMPLAINTS AGAINST THE HARRISON POLICE DEPARTMENT

Albert Pirro, attorney for Harrison Police Chief David Hall stated he believes that any discussion regarding the hiring of any firm to evaluate the Harrison Police Department should be discussed in public and not in Executive Session.

Supervisor Walsh stated that no firms would be interviewed this evening, however, the scope of the investigation will be discussed.

Mr. Pirro stated he respectfully requests that any discussion as to who the firms are or what the scope of the evaluation/investigation is be discussed in public.

Councilman Cannella stated that to the extent the Board has a series of pending litigations, the Board will take the discussion into Executive Session under advisement of counsel in case the discussion could have an impact on said litigations.

Mr. Pirro stated it has been indicated this evening that the evaluation/investigation has nothing to do in Executive Session.

Mr. Cannella stated that this is a difficult situation and therefore be taken under advisement of counsel. He went on to state that the final scope would be made public at the conclusion of the discussion.

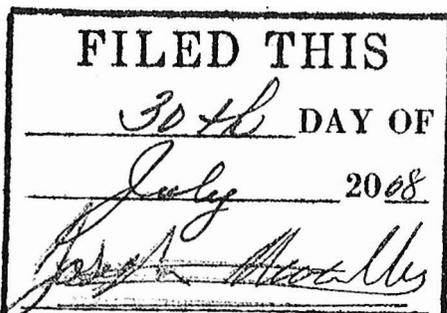
Mr. Pirro stated that he was disappointed in the way the Board is acting in secrecy regarding these matters. He went on to state that his FOIL requests were approved and he hopes to receive those complaints and try to make a response to the Board as a whole to those complaints. He stated he hopes his client does not have to force the Police Department against the Town Board. Mr. Pirro stated that the evaluation should be conducted in public and he should be able to receive the written complaints.

Supervisor Walsh stated she never said the complaints are written.

Mr. Pirro stated he was told they were written and hopes the Board will hold these meetings in public and not in private.

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July 2, 2008

2008 - - 358

AUTHORIZATION TO ENTER INTO AGREEMENT WITH PETER PENDERGAST FOR
CONSTRUCTION OVERSIGHT ON VARIOUS TOWN PROJECTS

Commissioner of Public Works Robert Wasp stated that there are four major projects going on right now in the Town/Village. The Commissioner stated his department has been trying to save money by using consultant services as well as in house services. He proposed hiring an independent construction inspector, reason being is that the Town would not have to pay the inspector as much as a consultant. The Commissioner recommended entering into a Service Agreement with Peter Pendergast as a construction inspector for various Town projects such as the Mintzer Center Annex, the Sewer Project in Town as well as the Main Street Project. Commissioner Wasp requested Mr. Pendergast be hired at an hourly rate of \$50.00 per hour with an upset limit of \$45,000.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to retain Peter Pendergast as a Construction Inspector for various Town projects at an hourly rate of \$50.00 an hour with an upset limit of \$45,000.

FURTHER RESOLVED to have the Law Department execute a contract for the above and the Supervisor to sign the contract.

FURTHER RESOLVED that funding for these services is to be drawn from the Engineering Department 407 and 00DR19 accounts.

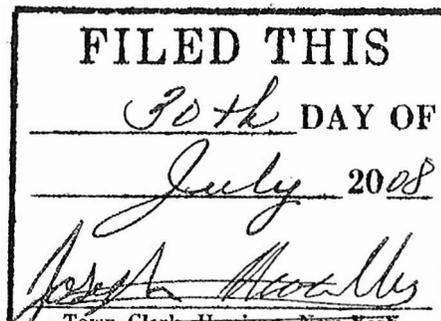
FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None



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- Supvs'r

July 2, 2008

2008 - - 359

REMARKS FROM CHIEF OF POLICE DAVID HALL

Chief Hall addressed the Board and stated that he went into Police Headquarters this past weekend and noticed the garbage's had not been emptied. The Chief stated that the recent cut in services has resulted in the garbage's not being emptied over the weekend and waste from the various shifts over the two day period is causing unsanitary conditions.

Councilman Cannella asked how long this was going on because he was unaware this was happening.

Supervisor Walsh replied since May 30, 2008.

Councilman Scappaticci stated that as far as the budget is concerned, he voted on an annual budget and he did not vote on any changes to it. He further stated that he is aware of multiple areas in which certain cuts were made and they are causing major problems.

Chief Hall went on to say that he would obviously object to an Independent Hearing Officer to hear charges against one of his employees. However, in this particular instance it has become hard to get the entire Board as well as attorneys and other persons involved to meet because of scheduling conflicts. Therefore, the Chief said he would not object to appointing an Independent Hearing Officer to hear the testimony from the Hearing as long as the Town Board would make the final judgment.

Commissioner of Public Works Robert Wasp addressed the Board and stated that he, along with other Department Heads have been asked by the Supervisor to make cuts in the budget. He stated that he did make certain cuts but has not yet had the chance to discuss them with the Board. The Commissioner recommends freezing all positions as they occur. As a result, positions that have been left vacant from resignations have not been filled. He went on to state that he has followed the Supervisor's directive to make certain cuts but will need the Board's feedback from here forward based on certain decisions. He continued by stating he has suspended the weekend pickup of garbage in Town to gauge what the outcome would be. Mr. Wasp stated he did not hear many complaints but stated he is willing to make changes if there is any opposition.

Mr. Cannella stated that he has received numerous complaints regarding the lack of garbage collection in the business district of the Town. He further stated that he was opposed to any cuts in the garbage collection whether in the Town or Police Headquarters.

Mr. Scappaticci stated that he never voted to make any cuts in garbage collection and that he has also received complaints regarding cuts in maintenance at the pool facilities.

Commissioner Wasp stated he would speak with Superintendent of Recreation Ron Belmont to discuss any cuts that would affect the recreation facilities to see if there were any problems. The Commissioner went on to state that he would also reinstate the weekend garbage pickup in the business district as well as Police Headquarters,

July 2, 2008

2008 - - 360

MATTERS FOR EXECUTIVE SESSION:

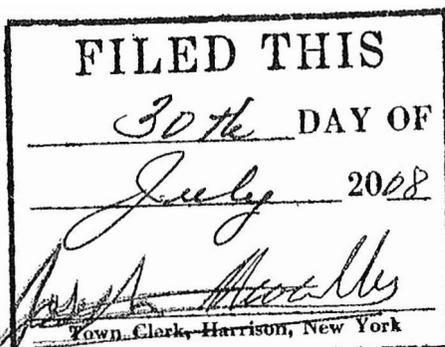
Sale of land	1
Personnel	3
Advice of Counsel	2
Litigations	4
Settlement of claims	2
Contract Negotiations	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for Executive Session
at 9:50 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was re-convened at 12:00 AM.

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July 2, 2008

2008 - - 361

AUTHORIZATION TO EXTEND THE LEAVE OF ABSENCE OF CLAUDIA PASTORE
HARRISON LIBRARY ASSISTANT UNTIL SEPTEMBER 2, 2008

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to authorize the extension of the leave of absence of Claudia Pastore, Harrison Library Assistant until September 2, 2008.

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

Adopted by the following vote:

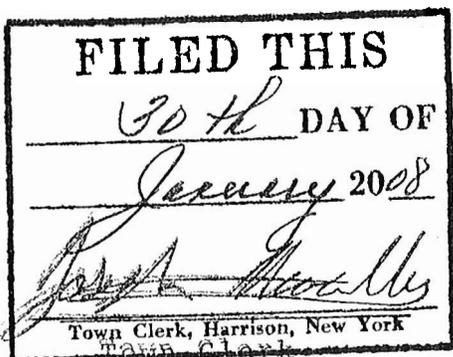
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

2008 - - 362

APPOINTMENT OF BARBARA REAMES TO THE POSITION OF
OFFICE-ASSISTANT AUTOMATED SYSTEMS
GRADE 7, STEP 5 IN THE SUPERVISORS OFFICE

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to appoint Barbara Reames to the position of Office-Assistant Automated Systems Grade 7, Step 5 in the Supervisors Office, at the annual salary of \$59,162.

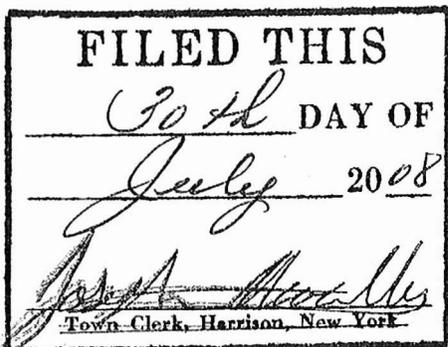
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Personnel Manager and Mrs. Reames.

Adopted by the following vote:

- AYES: Councilmen Cannella, Sciliano and Vetere
Supervisor Walsh
- NAYS: Councilman Scappaticci
- ABSENT: None

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-



July 2, 2008

2008 - - 363

APPOINTMENT OF SUSAN WEINTRAUB TO THE POSITION OF
CONFIDENTIAL SECRETARY IN THE SUPERVISORS OFFICE
EFFECTIVE SEPTEMBER 1, 2008.

On motion of Councilman Vetere, seconded by Supervisor Walsh,

it was

RESOLVED to appoint Susan Weintraub to the position of Confidential Secretary in the Supervisor's Office, effective September 1, 2008.

FURTHER RESOLVED that Mrs. Weintraub will continue her current part time position in the Supervisor's office until August 31, 2008.

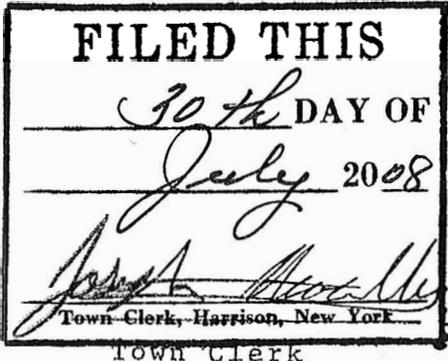
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Personnel Manager and Mrs. Weintraub.

Adopted by the following vote:

- AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh
- NAYS: None
- ABSTAIN: Councilman Scappaticci
- ABSENT: None

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- Supvs'r
-



Town Clerk

July 2, 2008

2008 - - 364

APPOINTMENT OF MAGGIE MAURO TO THE PART TIME AVAILABILITY LIST
AT THE RATE OF \$10 AN HOUR

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Maggie Mauro to the part time availability list at the rate of \$10 an hour.

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

Adopted by the following vote:

- AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh
- NAYS: None
- ABSENT: None

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FILED THIS
30th DAY OF
July 2008
[Signature]
 Town Clerk, Harrison, New York

July 2, 2008

2008 - - 365

SETTLEMENT OF CLAIM
RE: SUOZZO V. TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to authorize the settlement of claim in the matter of Suozzo v. Town of Harrison for the amount of \$200.

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 and the Comptroller.

Adopted by the following vote:

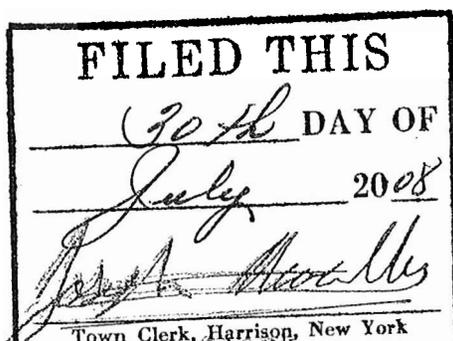
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

2008 - - 366

SETTLEMENT OF CLAIM
RE: SCHAPIRO V. TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to authorize the settlement of claim in the matter of Schapiro v. Town of Harrison for the amount of \$1,150.

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

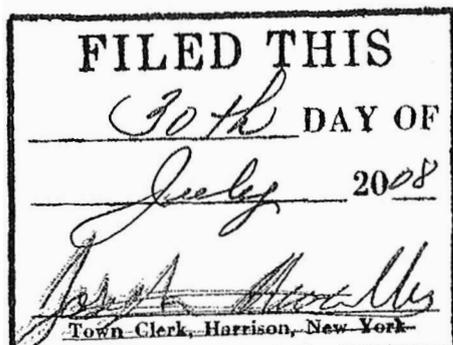
FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys and the Comptroller.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None



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July 2, 2008

2008 - - 367

AUTHORIZATION TO RAISE THE LEGAL FEES
IN THE MATTER OF DI VITTORIO #1 TO \$100,000

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to authorize the raise in legal fees in the matter of "DiVittorio #1" to \$100,000.

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

Adopted by the following vote:

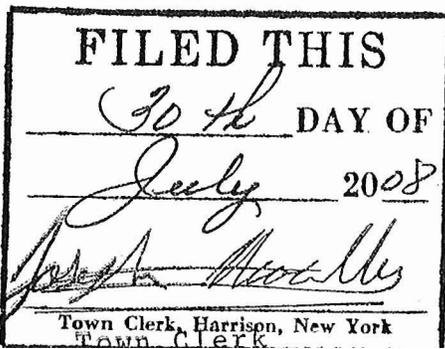
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

2008 - - 368

AUTHORIZATION TO RAISE THE LEGAL FEES
IN THE MATTER OF "SOFIA SAENZ" TO \$25,000

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to authorize the raise in legal fees in the matter of "Sofia Saenz" to \$25,000.

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

Adopted by the following vote:

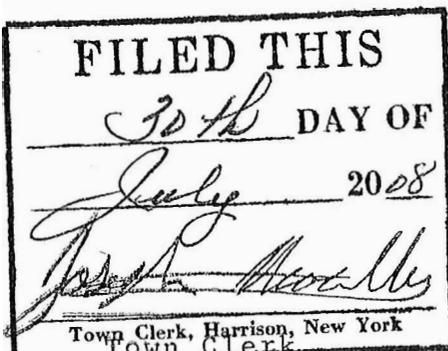
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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-



July 2, 2008

2008 - - 369

AUTHORIZATION TO CREATE THE TITLE OF
"COORDINATOR OF COMPUTER SERVICES"
FOR THE HARRISON POLICE DEPARTMENT

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to create the title of "Coordinator of Computer Services" for the Harrison Police Department.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

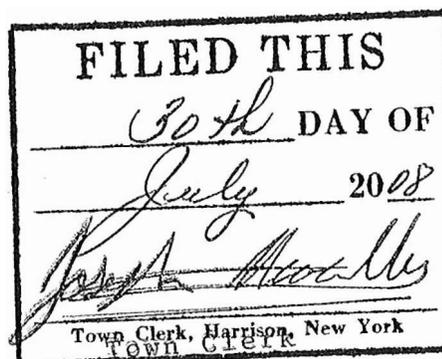
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 12:05 AM.

Respectfully submitted,

Joseph Acocella
Town Clerk



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