

September 18, 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 18th day of September at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh ..... Supervisor

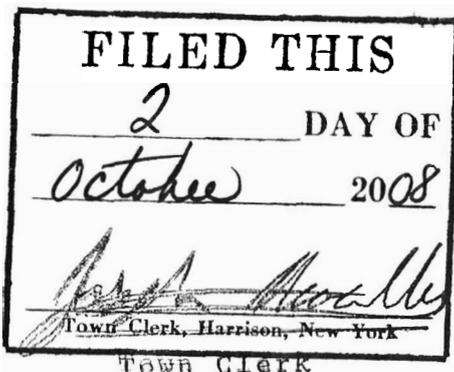
Joseph Cannella )  
Patrick Vetere ) ..... Councilmen  
Thomas Scappaticci )  
Fred Sciliano )

ALSO ATTENDING:

Frank Allegretti ..... Town Attorney  
Fred Castiglia ..... Deputy Town Attorney  
Robert Paladino ..... Village Attorney  
Jonathan Kraut ..... Deputy Village Attorney  
David Hall ..... Chief of Police  
Maureen MacKenzie ..... Comptroller  
James Calandrucchio ..... Assessor  
Robert Wasp ..... Commissioner of Public Works  
Steve Surace ..... Fire Marshal  
Robert FitzSimmons ..... Building Inspector

Copies to:

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- Benefits
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- 



September 18, 2008

2008 - - 448

2008 HARRISON CITIZEN OF THE YEAR

Rachel Rosenfeld has been chosen the 2008 Harrison Citizen of the Year. Rachel, a seventeen year old student raised nearly \$53,000 to build a school in Cambodia, while out sick for a year from school. The World Bank and other financial institutions matched her contributions. Ms. Rosenfeld will be part of the "It's Great to live in Harrison" parade.

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**FILED THIS**  
2 DAY OF  
October 2008  
*Joseph A. ...*  
 Town Clerk, Harrison, New York

September 18, 2008

2008 - - 449

DISCUSSION: KEITH COLAVITO RE: FLOODING ON PARK AVENUE  
AND MEADOW STREET

Keith Calvito, resident addressed the Board. Mr. Colavito read the following statement into the record:

“Good evening Members of the Board.

My name is Keith Colavito and my wife and I live on 4 Meadow Street in Harrison.

I apologize for having to include this matter as part of the agenda. I had written the Mayor’s office to review these issues with her or the Town Engineer but received no response.

I am here tonight to discuss the serious drainage problem in the area of Park Ave, Meadow St and, Oakland Ave, located in the downtown area of Harrison. Most of us here tonight are aware of the heavy volume of water that collects in the area of Park Ave and Meadow Street during and after a heavy rain storm. The retention areas and storm drains in this area of town are not equipped to handle large amounts of storm water, causing water to over flow and then flood the street and local homes. Often times, this will result in police and town workers closing parts of Park Ave. and Meadow Street.

This flooding creates serious problems which require town action. The water, that pools in this area eventually over flows into local properties. The unsanitary street run off makes its way into our yards and basements, resulting in negative health implications. Cars that drive through this pool of water risk getting stuck, or if they are able to drive through, create a wave effect causing even more water to flow onto adjoining properties.

Another effect of this water build up relates to public safety.

In addition to the effected home owners, the surrounding communities, including businesses, are impacted by this issue. Park Ave has been closed for hours during heavy rain storms, and rightfully so.

Emergency service vehicles would have great difficulty getting through this road during a heavy rain storm. Response time would be adversely effected. Some of us are literally stranded in our houses because of the high water. This occurs during a heavy rain in addition to flood conditions.

A temporary solution for me and an adjoining property owner would be for the town to install a retention wall approximately 3’ around our property to keep the water run off away.

A long term solution, I hope the town is pursuing, is removing some of the fill in the Project Home Run area so this run off has some where to collect other than our streets and yards. This is an obvious retention area and should be effectively used for that purpose. Another solution is to dredge Beaver Swamp. I would ask that someone from the Board take a look at the position of the storm drain pipe that discharges into Beaver Swamp. It’s currently a foot under water. Where do you expect the storm run off to collect?

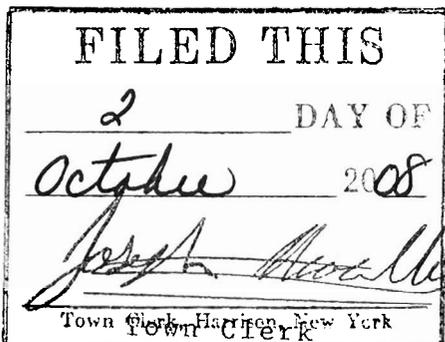
It's discouraging to hear that several million dollars has been bonded for the town pool. A pool that is used 3 months out of the year and is an amenity, not a necessity. The Town is addressing recreation over health and safety issues. When my wife and I purchased this house, we were issued a CO by the town which indicates the house and property is in a livable safe condition. Clearly this is not the case. Let's take care of basic infrastructure and public safety which should be a number one priority for the tax payers of this town. I would like a response to this inquiry and thank you for your time and attention to this matter."

Commissioner of Public Works Robert Wasp stated that his Department is well aware of this condition. During a storm event, there is a low area which collects rain water during a storm. There is a question of how much water is flowing to the pipes and how much the pipe can handle. The Engineering Department has looked into this and Mr. Wasp stated he would like to speak with Mr. Colavito about this. One solution would be is to build another pipe. This is not a FEMA flood zone, however, the homeowner has the right to do modifications to raise the grade of the property.

Mr. Colavito asked Mr. Wasp if putting in a new pipe would rectify the problem.

Commissioner Wasp stated there are over a hundred locations where that would help throughout the town. It is a costly solution for the town and we can not do it for everyone.

It was agreed that Mr. Wasp and Mr. Colavito would speak to find a solution to the problem.



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September 18, 2008

2008 - - 450

ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence and reports:

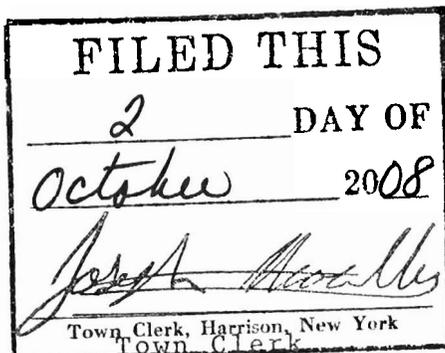
- 1a. Monthly report from the Building Inspector for August 2008.
- 1b. Monthly report from the Fire Marshal for August 2008.
- 1c. Monthly report from the Town Clerk for August 2008.
- 1d. Monthly report from the Receiver of Taxes for August 2008.
- 1e. Monthly report from the Superintendent of Recreation for August 2008.
- 1f. Monthly report from the Commissioner of Public Works for July and August 2008, along with a chart of complaints/requests for services during the same time period.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 18, 2008

2008 - - 451 - - a

AUTHORIZATION FOR FIRE MARSHAL STEVE SURACE TO ATTEND  
THE NYS FIRE MARSHALS & INSPECTORS ANNUAL SEMINAR,  
AT A COST NOT TO EXCEED \$500.

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 Marshals & Inspectors Annual Seminar, at the NYS Fire Academy in Montour Falls, NY, from October 21<sup>st</sup> through October 23, 2008, at a cost not to exceed \$500. Mr. Surace is required to have a minimum of 24 hours of in-service training each year. Attendance at these classes will be credited to this certification requirement.

FURTHER RESOLVED to authorize the Comptroller to advance Mr. Surace a check in the amount of \$500.

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

Adopted by the following vote:

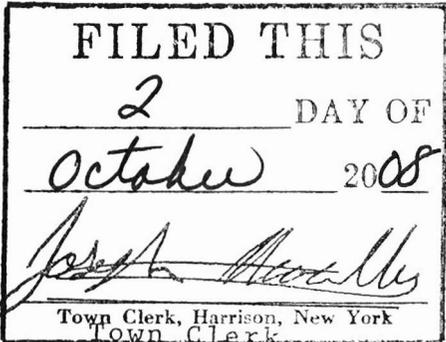
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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- Supvs'r
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September 18, 2008

2008 -- 451 -- b

AUTHORIZATION FOR FIRE MARSHAL STEVE SURACE TO ATTEND  
THE NYS FIRE/ARSON INVESTIGATORS SEMINAR,  
AT A COST NOT TO EXCEED \$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/Arson Investigators Seminar, in Montour Falls, NY, from November 4 through November 7, 2008, at a cost not to exceed \$600. Mr. Surace is required to have a minimum of 24 hours of in-service training each year. Attendance at these classes will be credited to this certification requirement.

FURTHER RESOLVED to authorize the Comptroller to advance Mr. Surace a check in the amount of \$600.

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

Adopted by the following vote:

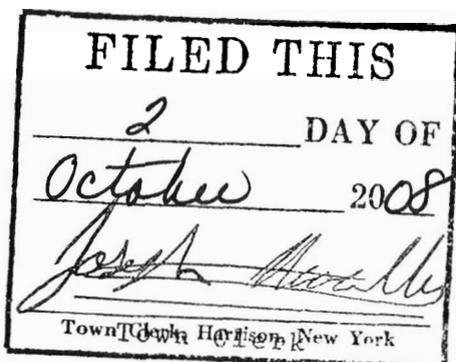
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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September 18, 2008

2008 - - 452

CONFIRMATION OF THE APPOINTMENT OF MS. AILEEN VELIZ  
AS LIBRARY PAGE, AT THE HOURLY RATE OF \$9.50

On motion of Trustee Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Library Director Virginia Vogl for confirmation for the appointment of Ms. Aileen Veliz, to the position of Library Page, effective September 29, 2008, at the hourly rate of \$9.50 per hour.

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

Adopted by the following vote:

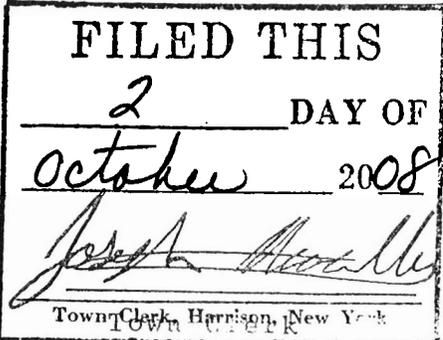
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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- Supvs'r
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September 18, 2008

2008 - - 453  
APPOINTMENT OF NICOLE PASCALE TO  
THE PART TIME AVAILABILITY LIST,  
AT THE HOURLY RATE OF \$12.50

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Town Clerk Joseph Acocella for authorization for the appointment of Nicole Pascale to the Part time Availability List, effective September 18, 2008, at the hourly rate of \$12.50 per hour.

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

Adopted by the following vote:

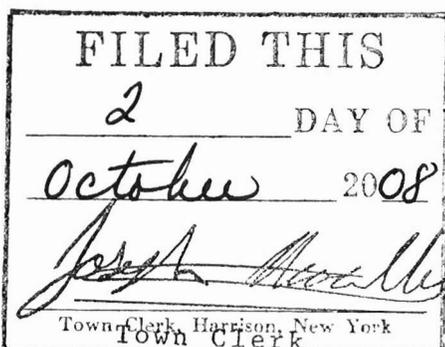
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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September 18, 2008

2008 - - 454

AUTHORIZATION FOR THE ADDITIONS TO  
THE RECREATION PART TIME AVAILABILITY LIST

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

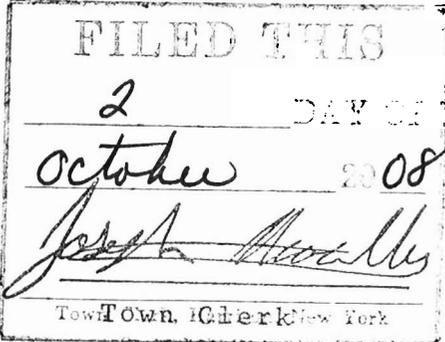
RESOLVED to approve the request of Superintendent of Recreation for authorization for the following additions to the Part Time Availability List:

<u>NAME</u>	<u>HOURLY RATE</u>
Cassavecca, Christopher	\$ 6.75
Gasparre, Michael	10.00
Neider, Mark	6.75

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

Adopted by the following vote:

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



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  - ✓ Compt'lr
  - ✓ Engrng
  - ✓ Law
  - Police
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  - ✓ Purch'g
  - Recr'tn
  - ✓ Supvs'r
  -

September 18, 2008

2008 - - 455

APPOINTMENT OF RONALD HOLLANDER TO THE POSITION OF  
SCHOOL CROSSING GUARD AT THE HOURLY RATE OF \$17.50  
EFFECTIVE SEPTEMBER 22, 2008.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Ronald Hollander to the position of School Crossing Guard at the hourly rate of \$17.50, effective September 22, 2008.

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

Adopted by the following vote:

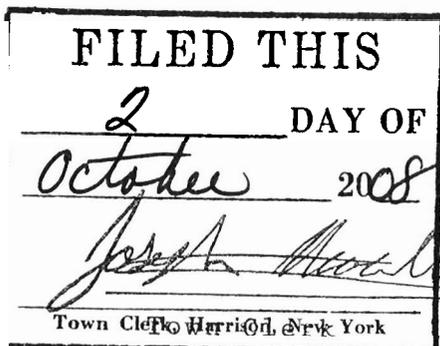
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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- Supvs'r



September 18, 2008

2008 - - 456

APPROVAL FOR THREE (3) POLICE OFFICERS TO ATTEND A COURSE ENTITLED  
"ENHANCED THREAT AND RISK ASSESSMENT TRAINING".  
COST: \$800

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

RESOLVED to approve the request by the Chief of Police for three (3) officers to attend a course entitled "Enhanced Threat and Risk Assessment Training" given by the NYS Office of Homeland Security, in Oriskany, NY, on October 15<sup>th</sup> and 16, 2008. There is no fee for this training. The total cost, including travel expenses, is not to exceed to \$800.

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

Adopted by the following vote:

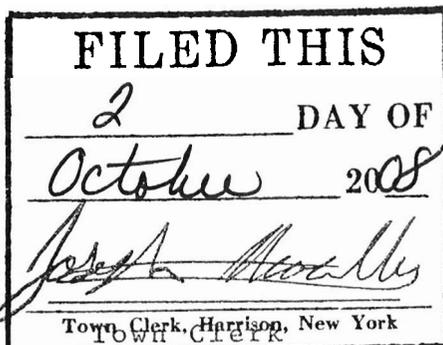
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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- Bldg
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September 18, 2008

2008 - - 457

APPROVAL FOR CERTAIN RESIDENTS TO WITHDRAW THEIR HOMES FROM THE  
MAMARONECK VALLEY SEWER DISTRICT.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Sam & Barbara Fanelli of 67 Old Lake St, W. Harrison and Joseph & Claudia Lusardo of 247 Old Lake St, W. Harrison for removal from the Mamaroneck Valley Sewer District.

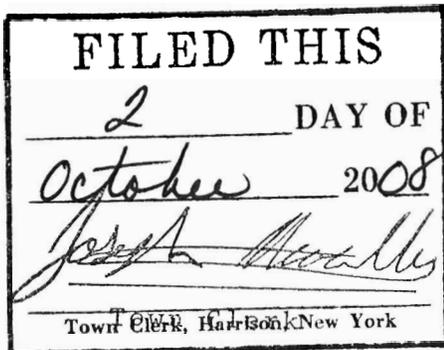
FURTHER RESOLVED to forward this Resolution to the Assessor, the Westchester County Board of Legislators and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 18, 2008

2008 - - 458  
APPROVAL OF BUDGET TRANSFERS

On motion of Councilman Cannella, seconded by Councilman Scappaticci

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for the following Budget Transfers:

**Decrease:**

001-8010-100-406	700
Zoning Board-Travel and Conference	
001-8010-100-407	1500
Zoning Board-Special Services	
001-8020-100-406	1000
Planning Board-Travel and Conference	
001-8020-100-0407	1000
Planning Board-Special Services	
<b>Total</b>	<b>4,200</b>

**Increase:**

001-8020-100-0120	4200
Planning Board-Over-Time	
<b>Total</b>	<b>4,200</b>

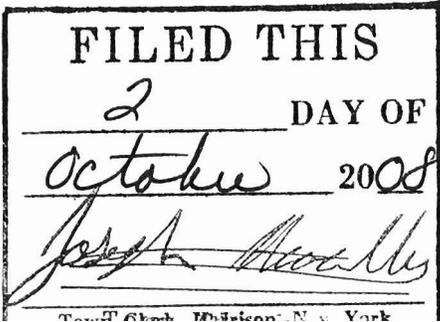
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

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

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September 18, 2008

2008 - - 459

APPROVAL FOR THE APPORTIONMENT OF ASSESSED VALUATION OF LOT 1, BLOCK 830 ON THE 2008 ASSESSMENT ROLL (TAXES OF 2009).

On April 28, 2008 the County of Westchester transferred to the Town/Village of Harrison twenty-one (21) parcels, attached is Schedule A identifying all the parcels. Of the twenty- one parcels only Block 830, Lot 1 was not conveyed in its entirety, therefore, the reapportionment of the parcel is necessary. Residual parcels "EE", "FF" and the mapped road-bed that lies between the two parcels have been conveyed to the Town/Village. The portion being conveyed to the Town is 0.8012 Acres and will hereafter be known as Block 830, Lot 2(Po1).

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the apportionment of assessed valuation of Lot 1, Block 830 on the 2008 Assessment Roll (Taxes of 2009).

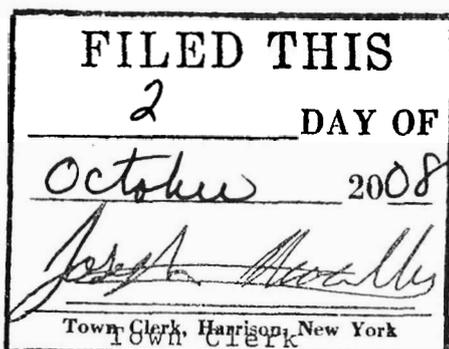
FURTHER RESOLVED to forward a copy of this Resolution to the Assessor, the Comptroller and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 18, 2008

2008 - - 460

APPROVAL OF THE REQUEST BY ROSA ACOCELLA, CHEERLEADING COACH FOR THE HARRISON HIGH SCHOOL FOOTBALL TEAM FOR A SPECIAL EVENTS PERMIT FOR THE TRADITIONAL RYE GAME PEP RALLY AND BONFIRE TO BE HELD ON FRIDAY, SEPTEMBER 26, 2008

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 traditional Rye game pep rally and bonfire to be held on Friday, September 26, 2008.

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

Adopted by the following vote:

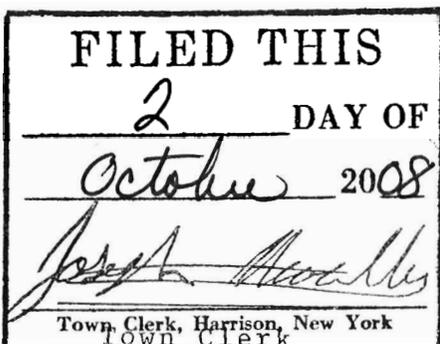
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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September 18, 2008

2008 - - 461

APPROVAL OF A CONTRACT WITH AMAXX CAMERON, INC., FOR SERVICES RELATED TO THE FABRICATION AND INSTALLATION OF BARRIER GATES 50' UPSTREAM OF THE SPILLWAY ON ST. MARY'S LAKE IN WEST HARRISON. COST NOT TO EXCEED \$11,600

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Acting Town Engineer Robert Wasp for authorization for a contract with Amaxx Cameron, Inc., for services related to the fabrication and installation of barrier gates 50' upstream of the spillway on St. Mary's Lake in West Harrison, at a cost not to exceed \$11,600. It is proposed to perform this work this fall. In addition to the cost of the construction of the fence system, we will need to purchase the sterile carp to stock the lake early next year. Their estimate for this purchase is \$8,000. (Quote to be received in the Spring)

FURTHER RESOLVED to authorize the Law Department to prepare the contract.

FURTHER RESOLVED that funding in the amount of \$20,000 is to come from the Subdivision Recreation Fund.

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

Adopted by the following vote:

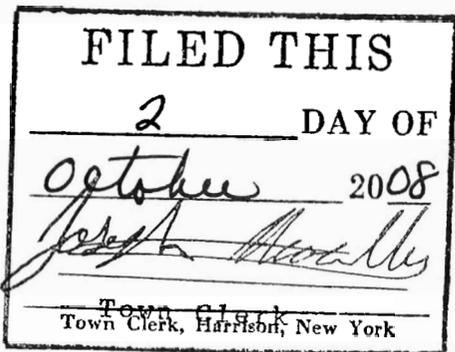
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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September 18, 2008

2008 - - 462

AUTHORIZATION FOR AN EASEMENT AGREEMENT BETWEEN  
THE TOWN/VILLAGE OF HARRISON AND 400 WESTCHESTER AVENUE (FORDHAM  
UNIVERSITY)

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Easement Agreement between the Town/Village of Harrison and 400 Westchester Avenue (Fordham University).

FURTHER RESOLVED that the Supervisor is authorized to execute same.

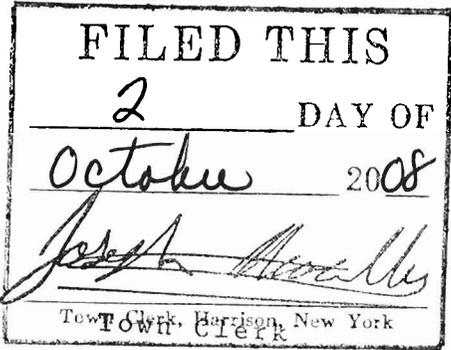
FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Assessor and the Building Inspector.

Adopted by the following vote:

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

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September 18, 2008

2008 -- 463

AUTHORIZATION FOR AN EASEMENT AGREEMENT BETWEEN  
THE TOWN/VILLAGE OF HARRISON AND 400 & 500 WESTCHESTER AVENUE  
(FORDHAM UNIVERSITY)

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Easement Agreement between the Town/Village of Harrison and 400 and 500 Westchester Avenue (Fordham University).

FURTHER RESOLVED that the Supervisor is authorized to execute same.

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

Adopted by the following vote:

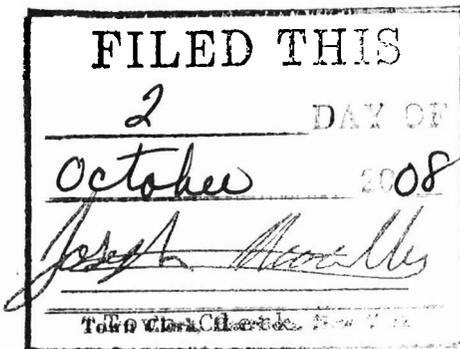
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

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September 18, 2008

2008 - - 464 (corrected)

APPROVAL TO SCHEDULE A PUBLIC HEARING ON OCTOBER 23, 2008.  
RE: AMENDING SECTION 235.75 OF THE TOWN CODE FOR AN INCREASE  
IN FINES FOR ZONING VIOLATIONS AND ILLEGAL HOUSING.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to schedule a public hearing on October 23, 2008, Re: Amending Section 235.75 of the Town Code for an increase to \$1,000 per week in fines for the zoning violations and illegal housing.

FURTHER RESOLVED to forward this Resolution to the Town Attorneys, the Building Inspector and the Code Enforcement Officer.

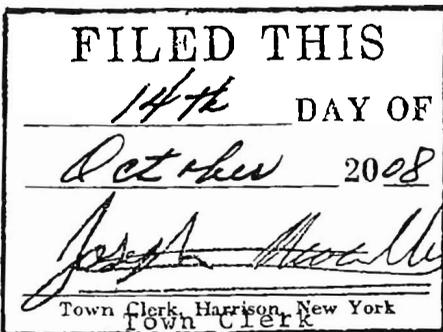
Adopted by the following vote:

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

\*the amount of the fine was omitted.

Copies to:

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



September 18, 2008

2008 - - 465

AUTHORIZATION FOR THE WESTCHESTER JOINT WATER WORKS (WJWW) TO  
RELOCATE THE WATER SERVICE LINE AND REPLACE THE STORMWATER SERVICE ON  
BEVERLY ROAD, 10580, AT A COST OF \$205,000  
PLUS BONDING COSTS (TOTAL OF \$210,000).

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to authorize the Westchester Joint Water Works (WJWW) to relocate the water service line and replace the storm water service on Beverly Road, 10580, at a cost of \$205,000 plus bonding costs (total of \$210,000).

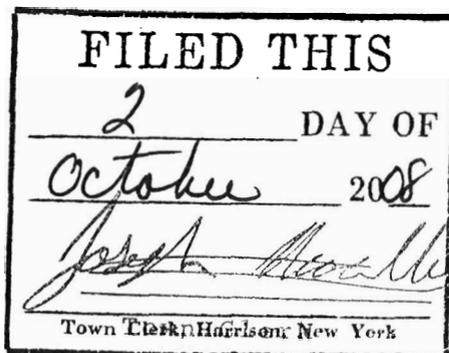
FURTHER RESOLVED to forward this Resolution to the Westchester Joint Water Works (WJWW), the Comptroller, the Town Engineer and the Town Attorneys.

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
- Purch'g
- Recr'tn
- Supvs'r

September 18, 2008

2008 - - 466

APPROVAL OF A SIX MONTH MORATORIUM ON  
CERTAIN BUILDING APPLICATIONS

**Whereas** the Town of Harrison is in the process of updating and revising its comprehensive plan, and **Whereas** the Town desires to prevent any significant developments that will not comply with that forthcoming master plan.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED that: No application for approval of: (1) a site plan that would increase the number of dwelling units on the subject property; or (2) a subdivision that creates two or more additional lots, and in each such case, that requires any variance from the Zoning Board of Appeals shall be considered, referred, or approved by the Planning Board until the earlier of six (6) months from the date of this resolution or the adoption of the Town's new Comprehensive Plan, whichever occurs first. This resolution shall not apply to any application for site plan approval or a subdivision pending before the Town on the date of this resolution nor shall it apply to any property in a SB-O, SB-1, SB-35 or SB-100 district.

FURTHER RESOLVED that any party who has an application pending before the Planning Board, which is restricted by this Resolution may apply to the Town Board seeking relief from this Resolution on the basis of undue hardship. The Town Board shall hold a public hearing within 31 days of the filing of the application for relief. The applicant shall make publication of the hearing as provided for in Town Code section 235-82 & 83 as if the application was for a site plan or subdivision as applicable to the application sought to be heard or referred by the Planning Board. The Town Board shall make a determination within 31 days of the close of the hearing. Upon a finding of undue hardship, the Town Board may exempt, in whole or in part, the application from the provisions of this Resolution.

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

Adopted by the following vote:

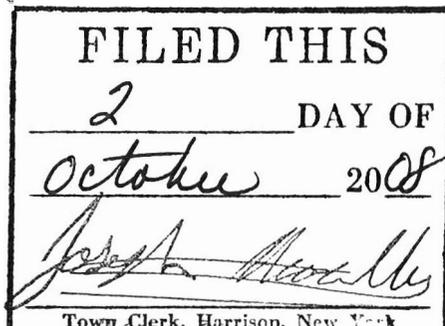
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 18, 2008

2008 - - 467

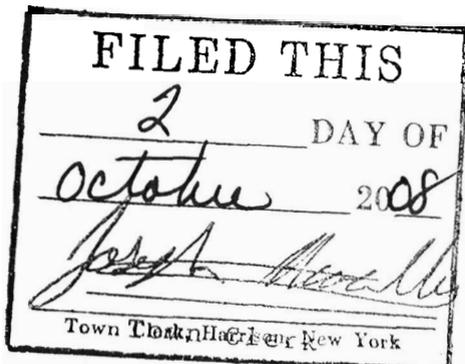
APPROVAL TO IMPLEMENT A POLICY, THAT BEFORE A ROAD OPENING PERMIT IS  
GRANTED, THE POLICE DEPARTMENT WOULD  
REVIEW THE ROAD

Deputy Village Attorney Jonathan Kraut stated that there are numerous municipalities that require a police presence for either a road opening or work be done on the road. Mr. Kraut stated it is his recommendation to base the policy on the discretion of the Commissioner of Public Works.

Councilman Scappaticci asked if this policy had to be just for road openings or could it apply to work being done on the road. Mr. Scappaticci explained there have been times when the flagmen in construction zones have not directed the traffic properly.

A discussion ensued regarding who would pay for the police presence, and when it would be necessary for the police to be present.

The matter was referred to the Law Department for consideration.



Copies to:

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

September 18, 2008

2008 -- 468

APPOINTMENT OF SPECIAL COUNSEL TO THE TOWN BOARD TO  
HEAR COMPLAINTS RE: THE POLICE DEPARTMENT.

Supervisor Walsh stated the Town Board has interviewed Mr. John Callahan for the position of Special Counsel to the Town Board to hear complaints against the Police Department. The Supervisor explained the Board has confidence that any complaints given to Mr. Callahan will be kept under the strictest of confidence. The Supervisor stated Mr. Callahan can be contacted the following way:

Phone: (914) 715-8559

Email: [JCallahan@harrisonspecialcounsel.com](mailto:JCallahan@harrisonspecialcounsel.com)

On motion of Supervisor Walsh, seconded by Councilman Scappaticci

it was

RESOLVED to appoint John Callahan as Special Counsel to the Town Board to hear complaints against the Police Department at a cost not to exceed \$25,000.

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

Adopted by the following vote:

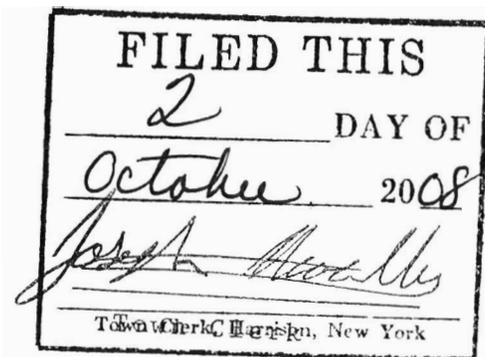
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 18, 2008

2008 - - 469

DISCUSSION

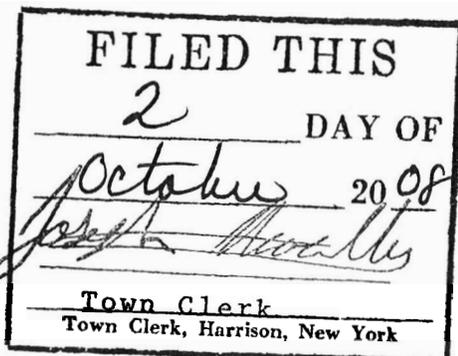
RE: PROPOSED ENTRANCE ON UNION AVE FOR 550 MAMARONECK AVE.

Rose Gross-Marino, resident, addressed the Board and stated she was not pleased with a proposal currently being considered by the Planning Board from the owners of 550 Mamaroneck Avenue to place an entrance to their property on Union Avenue. Mrs. Gross-Marino went on to explain that this proposal would cause an unsafe traffic condition in the area of Mamaroneck Avenue and Union Avenue.

Deputy Village Attorney Jonathan Kraut stated that the Town would first need to determine if Union Avenue was a County owned road. If in fact it was, the town would have no jurisdiction over the matter.

Copies to:

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



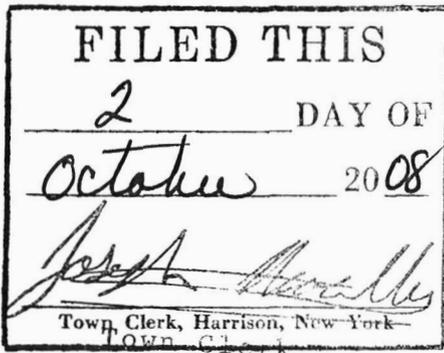
September 18, 2008

2008 - - 470

DISCUSSION: RE: PROCESS FOR SELECTING CITIZEN OF THE YEAR

Chris Hughes, resident addressed the Board and asked if at the next meeting the Board could explain the process for choosing the Citizen of the Year.

Supervisor Walsh stated she would find out the process.



Copies to:

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- Engrng
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- Purch'g
- Recr'tn
- Supvs'r

September 18, 2008

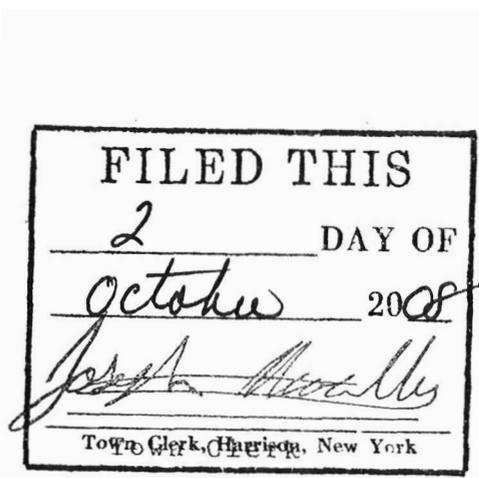
2008 - - 471

DISCUSSION:

RE: GARBAGE BEHIND THE FOOD EMPORIUM SHOPPING CENTER

Carl Laurel, who resides behind Food Emporium Shopping Center, addressed the Board. Mr. Laurel stated he was disturbed about the amount of garbage being left behind the Food Emporium shopping center for days at a time.

Supervisor Walsh stated that the Building Department would look into the matter.



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

September 18, 2008

2008 - - 472

DISCUSSION:

RE: PROPOSED CURB BUMP OUTS ON LAKE STREET

Manny Cabral owner of Aquario's Restaurant addressed the Board and stated he wanted to follow up with respect to a request from Mr. Sam Fannelli from the last Town Board meeting for curb bump outs in front of his restaurant (Aquario's). Mr. Cabral stated he is requesting a handicap parking space be added in front of his restaurant for his customers.

Councilman Cannella stated anything that is going to be done has to be fair to everyone.

Commissioner of Public Works Robert Wasp stated the Engineering Department is making recommendations with the design team in regards to the best way to rectify the problem. Mr. Wasp explained the main concern is the safety for everyone.

After considerable discussion Councilman Cannella referred the matter to the Commissioner of Public Works and the Chief of Police.

Copies to:

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

FILED THIS  
 2 DAY OF  
 October 2008  
 Joseph A. Fannelli  
 Town Clerk, Harrisburgh, New York

September 18, 2008

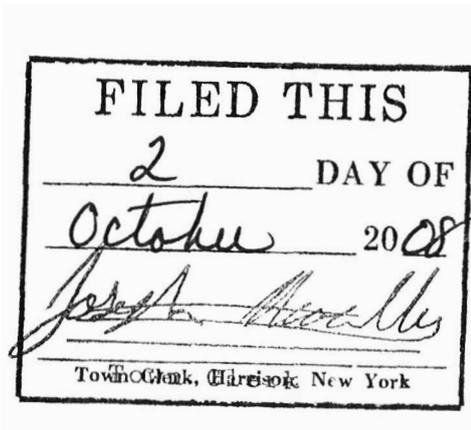
2008 - - 473

DISCUSSION:

RE: OUT OF TOWN SOLICITORS IN THE TOWN OF HARRISON

Town Clerk Joseph Acocella addressed the Board and stated that many residents have approached him with concerns regarding out of town solicitors registering with his office. Mr. Acocella explained he would like the Town Attorney's to consider drafting a law in order to create a "No Solicitors" list in the Town of Harrison.

The matter was referred to the Town Attorney's for review.



Copies to:

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

September 18, 2008

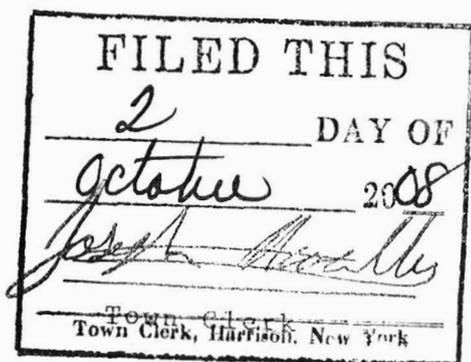
2008 - - 474

MATTERS FOR EXECUTIVE SESSION:

Personnel	10
Advice of Counsel	3
Acquisition of property	2
Litigation	1
Settlement of claims	4

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was recessed at 9:58 PM.

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was re-convened at 11:15 PM.



Copies to:

- Assessor
- Benefits
- Bldg
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- Engrng
- Law
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- P. Wrks
- Purch'g
- Recr'tn
- Supvs's

September 18, 2008

2008 - - 475

APPOINTMENT OF ROBERT PORTO AS A PAID FIREMAN

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Robert Porto as a paid Fireman in the Town of Harrison, effective October 6, 2008.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of the Harrison Fire Department, the Comptroller and the Personnel Manager.

Adopted by the following vote:

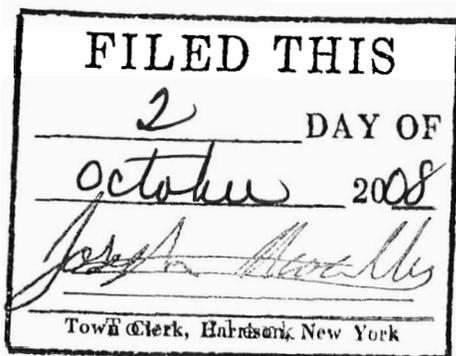
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 18, 2008

2008 - - 476

APPROVAL TO INCREASE THE UPSET LIMIT FROM \$17,500 TO \$29,500 FOR THE FIRM OF FRANK G. RELF ARCHITECTS FOR FIRE DISTRICT #2.

On motion of Councilman Scappaticci, seconded by Councilman Sciliano,

it was

RESOLVED to approve to increase the upset limit from \$17,500 to \$29,500 for the Firm of Frank G. Relf Architects 545 E. Jericho Turnpike, Huntington Station, NY 11746 for Fire District #2.

FURTHER RESOLVED that funding be taken from the Building Maintenance Account 011-3411-100-0401.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of FD #2 and the Comptroller.

Adopted by the following vote:

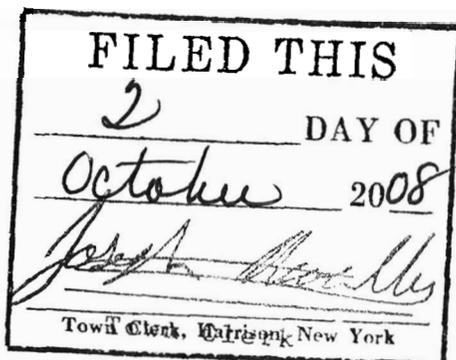
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 18, 2008

2008 - - 477

APPOINTMENT OF ANTONIO PILLONI IN THE HIGHWAY DEPARTMENT

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to appoint Antonio Pilloni as a seasonal employee in the Highway Department, effective September 19, 2008 at a rate of \$19 per hour.

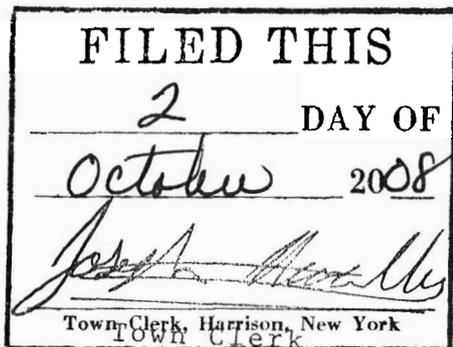
FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Comptroller and the Personnel Manager.

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
- Purch'g
- Recr'tn
- Supvs'r

September 18, 2008

2008 - - 478

APPOINTMENT OF JOSEPH LUSARDO IN THE HIGHWAY DEPARTMENT

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to appoint Joseph Lusardo as a Part time Inspector in the Engineering Department, effective October 1, 2008, at an hourly rate of \$30 per hour.

FURTHER RESOLVED to forward a copy of this Resolution to the Engineering Department, the Comptroller, the Personnel Manager and the Town Attorney's.

Adopted by the following vote:

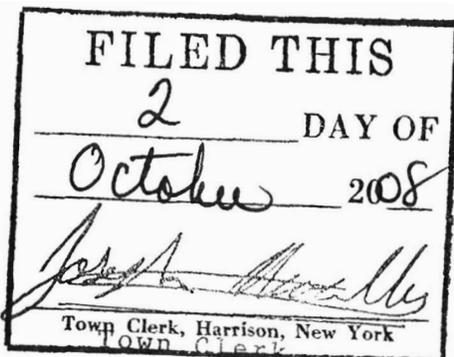
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 18, 2008

2008 - - 479

RE-APPOINTMENT OF DOMINICK PASCALE IN THE  
POLICE DEPARTMENT IT DIVISION

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to re-appoint Dominick Pascale in the Police Department IT Division for a cost not to exceed \$30,000.

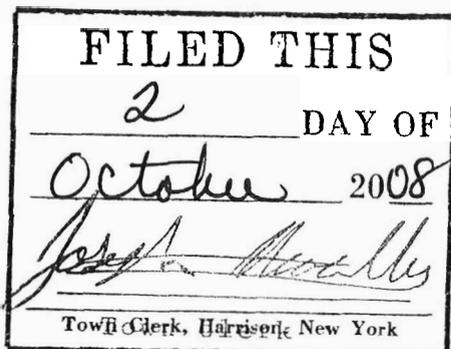
FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Comptroller and the Personnel Manager.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Sciliano

NAYS: Supervisor Walsh and Councilman Vetere

ABSENT: None



Copies to:

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

September 18, 2008

2008 - - 480

APPOINTMENT OF DANTE GISMONDI TO THE ETHICS COMMITTEE

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Dante Gismondi to the Ethics Committee of the Town of Harrison, effective September 19, 2008.

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

Adopted by the following vote:

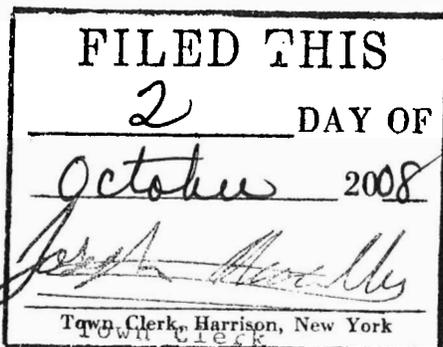
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 18, 2008

2008 - - 481

APPOINTMENT OF SAM FREEDMAN TO THE ETHICS COMMITTEE

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Sam Freedman to the Ethic Committee of the Town of Harrison, effective September 19, 2008.

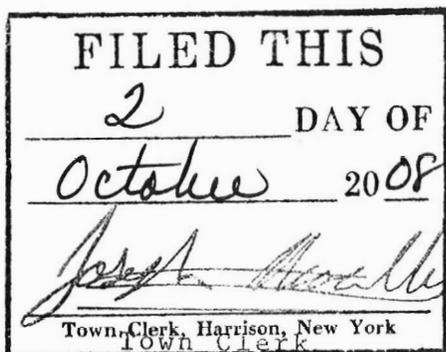
FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys.

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
- Purch'g
- Recr'tn
- Supvs'r

September 18, 2008

2008 - - 482

SETTLEMENT OF A CLAIM: NURICK vs TOWN OF HARRISON

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Nurick vs the Town of Harrison, in the amount of \$214.75.

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

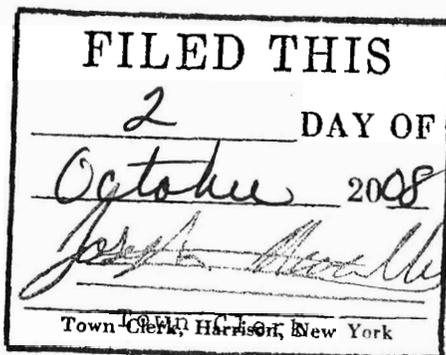
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

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

September 18, 2008

2008 - - 483

SETTLEMENT OF A CLAIM: PASTORE vs TOWN OF HARRISON

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Pastore vs the Town of Harrison, in an amount up to \$35,000.

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

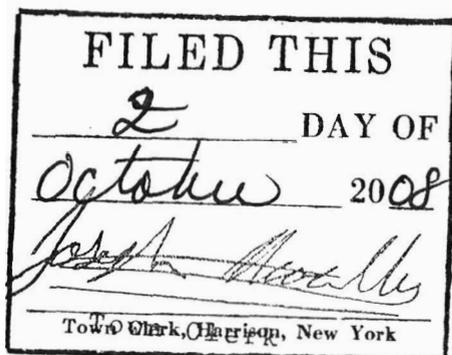
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

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

September 18, 2008

2008 -- 484

SETTLEMENT OF A CLAIM: TRAVELERS a.s.o. KEITH HAMPTON vs  
TOWN OF HARRISON

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Travelers a.s.o. Keith Hampton vs the Town of Harrison, in an amount up to \$3,905.

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

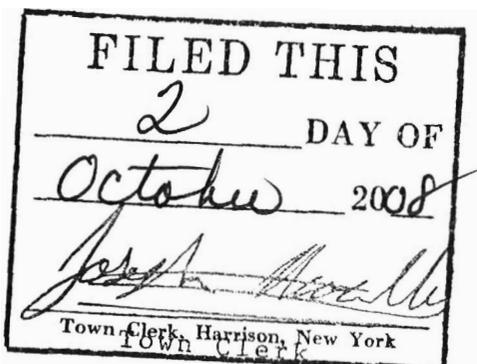
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

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
- Purch'g
- Recr'tn
- Supvs'r

September 18, 2008

2008 - - 485

SETTLEMENT OF A CLAIM: NATIONWIDE a.s.o. STEVEN & MELISSA LEVY vs  
TOWN OF HARRISON

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Nationwide a.s.o. Steven and Melissa Levy vs the Town of Harrison, in the amount of \$1,765.03.

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

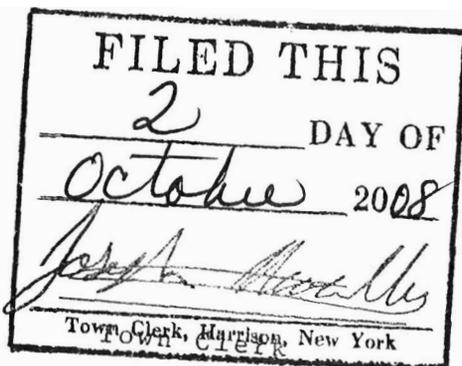
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

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
- Purch'g
- Recr'tn
- Supvs'r

September 18, 2008

2008 - - 486

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES TO  
VINCENT TOOMEY, UP TO \$175,000.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to raise the cap on legal fees to Vincent Toomey, up to the amount of \$175,000.

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

Adopted by the following vote:

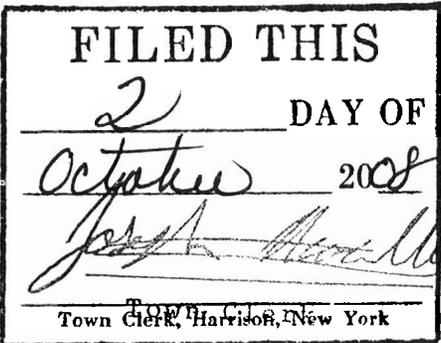
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 18, 2008

2008 - - 487

AUTHORIZATION OF PAYMENT TO LANE & ASSOCIATES  
FOR APPRAISEL OF A CERTAIN PIECE OF PROPERTY.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the payment to Lane & Associates for work related to the appraisal of particular piece of property.

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

Adopted by the following vote:

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

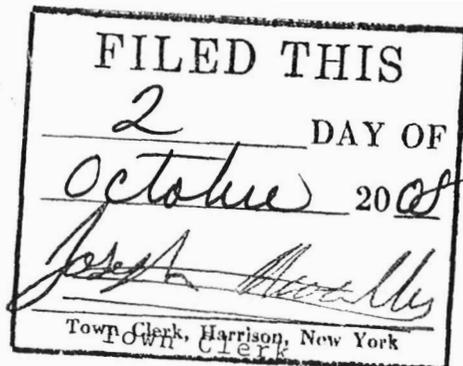
NAYS: None

ABSENT: None

There being no further matters to come before the Board,  
the Meeting was, on motion duly made and seconded,  
with all members voting in favor, declared closed at 11:20 PM.

Respectfully submitted,

Joseph Acocella  
Town Clerk



Copies to:

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