

September 4, 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 4th 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
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

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FILED THIS
23rd DAY OF
Septenber 2008
Angela Cannucci, Deputy
 Town Clerk, Harrison, New York

September 4, 2008

2008 - - 416 - - a

LETTER COMMENDING THE HIGHWAY DIVISION OF THE DPW

Dr. Sidney Simon and Mrs. Simon sent a letter to the Supervisor and the Town Board commending the Highway Division of the DPW that the crew removed a diseased tree from the Simon's front lawn and thus prevented it from falling during a storm. They carried out their work with professionalism and courtesy. Not only was the tree removed but the stump was cleared and the area cleaned. The Simon's have been residents of Harrison for over forty years and that each time a request was made to a department it has been complied with promptly and to their satisfaction. Dr. Simon finalized his letter by saying that this administration is apparently continuing the tradition of superb service by all departments. He concludes by complimenting those of the Highway Department and to the Supervisor for having such interested public servants.

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23rd DAY OF
September 2008
Angela J. Trucco, Deputy
Town Clerk, Harrison, New York

September 4, 2008

2008 -- 416 -- b

PLEA FOR HELP BY COORDINATOR OF "MEALS ON WHEELS" FLO D'IMPERIO

Mrs. D'Imperio sent a letter to the Town Board and to the residents of Harrison explaining that "Meals on Wheels" has been in service for twenty-six (26) years and run by volunteers. She went on to say that the program is in a crisis, there are not enough volunteers to continue this service to the elderly and the homebound. At least thirty (30) people would be affected. Ninety percent (90%) of the volunteer are senior citizens and ready to retire for a second time. This program may have to be discontinued. If anyone can spare one (1) hour every other week, the program the elderly and the homebound will be served a hot meal. What a travesty it would be to cancel this much needed program. For anyone who can help please call Flo at 914-670-3027.

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FILED THIS
23rd DAY OF
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Charles J. Francis Deputy
Town Clerk, Harrison, New York

September 4, 2008

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REPORT BY CHIEF OF POLICE DAVE HALL RE: THE ROBBERY ON UNION AVENUE

Chief of Police Dave Hall explained that there was a break-in on Union Avenue in the evening of Wednesday, September 3rd. The Chief explained that the couple was followed home from their business in the Bronx. This is the second time these people have been targeted. He wants the residents to know that this time the police have pictures, DNA and the perpetrators were also involved in a car accident. The Police Department is actively investigating this incident. He explained that this is not only happening in Harrison but in the surrounding communities as well.

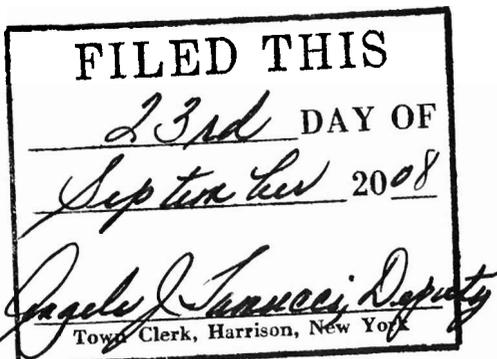
Chief Hall explained that he encourages residents to notify the police when they will be away and to fill out a "dark house" card that can be obtained at the Police Department, giving important information and emergency contacts. The Police will continue their regular patrols and will also give extra attention to those homes that register when they will be away. The Chief suggested residents have surveillance equipment inside and around the outside of their home. For those residents who have an alarm system, set it, even if you are at home. He advises everyone to call the police if they are suspicious of anyone or anything.

Supervisor Walsh said that she received phone calls complimenting the police who also responded when a neighbors' front door was left open.

The Chief concluded by saying there would be a meeting at the Harrison High School on Tuesday, September 9th to discuss home safety.

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DISCUSSION: HARRISON RESIDENT'S COMMITTEE RE: THE MASTER PLAN

Rose Ann Surace spoke on behalf of the Harrison Resident's Committee, who has continued to express its concern that the master plan to date remains incomplete. The town continues to consider and approve developments that require significant zoning variances that may not be in line with the updated Master Plan recommendations. We urgently request that the Town Board take action to prevent such zoning variances until the Master Plan update is in place.

Supervisor Walsh said that members of the Committee have been in touch with Councilman Cannella. She asked Mr. Cannella to give those results.

Councilman Cannella stated that more accurately, Committee members have visited everyone on the Town Board. The issue is a certain level of complexity and with respects to balancing rights of property owners and rights of potentially people who want to advance the use of their property as well as the people who live in the neighborhood. After significant discussions with the members of the committee, the community and our legal department who have slightly different views on all of this. Mr. Cannella thinks that what can be done is enter into a proposal that results in suggesting or directing the Planning Board not to refer significant proposals to the Zoning Board the imposition and that the time frame is subject to debate. Mr. Cannella suggests a period of the earlier of the completion of the Master Plan or a six month period from the date of adoption of a resolution, if a resolution were to be adopted. If the proposal would do one of two things:

1. involves a subdivision of two or more additional units would be a three lot subdivision

2. a site plan approval which would increase the number of joined units on a property

In either of those cases if the application would require the variances of the zoning board to be acceptable that the Planning Board would defer referral of the application to the Zoning Board. We would exempt from that various SB zones so that it doesn't effect some of the corporate parks and keeping in mind a need to develop an element of fairness of this in the event that a particular application was deemed, the imposition of this was to create an undue hardship, they would have an opportunity to appeal directly to the Town Board to relief. The question of that relief would be subject to a public hearing, notice of various members of the community both the developer the community could express their views on the subject, and if the Town Board felt that there was a significant issue, a detriment to the developer which the time frame would materially adversely affect we would simply relieve the restriction, it does not say that the variance or do anything that these other boards would do but the Board would simply say okay in this special circumstance you have the opportunity to proceed with the application. Keeping in mind that this is only a six month or shorter situation, and in so far as the Master Plan was pretty far along, in the latter part of last year September, October, November, December. There were at least three public hearings, community hearings, which didn't have anything to do with the Planning Board's deliberation which also went through a series of public hearings. There has been a lot of public dissemination of information and input that has been ongoing for certainly over a year, eighteen months, and we have not progressed with the Master Plan.

It is Mr. Cannella's view that the justification for this type of restriction or limitation is that as this Board considers the Master Plan, which he thinks they should do, it gives them a time line to deal with, Mr. Cannella would not be in favor of extending this. It puts some pressure on the Board which he thinks is good, and also allows them to monitor the position and the development of the Master Plan since it is difficult to expect all of the Boards, particularly the Zoning Board, which is not directly involved in the process to necessarily know the direction that is being taken in the Master Plan. He believes community concerns, while this is being done, protect orally maybe even changing the zoning or making considerations to what may of may not be appropriate development, that's ongoing and the Zoning Board may not being aware of that particular direction, taking action which they believe to be the correct action which in the long run end up being inconsistent with something that's going to happen in the short run. Councilman Cannella proposes a resolution, with the assistance of Joe Latwin. (Mr. Cannella read the Resolution)

Councilman Cannella made the motion.

Supervisor Walsh stated that she was under the impression that this was going to be referred to the Law Department and adopted at the next meeting. Mrs. Walsh explained that she had received this resolution this afternoon.

Mr. Cannella stated that it is his view that the Board adopt it now. He doesn't believe it affects anything that's pending and he believes that it sends a signal to the various Boards as to what the Town Board is doing, with respect to the Master Plan, and thinks its adoptable now. Having spoken to each member of the Board, he knows that there are different feelings of comfort, discomfort. He has also spoken to the Town Attorneys, who can express their views independently, probably in executive session. He went on to say that he made the motion, subject to comments by other Board members.

Councilman Scappaticci, stated he is not ready to adopt this matter tonight, and would refer it to the Law Department. He has not had an opportunity to read what Mr. Cannella read as he hadn't received a copy of it. Mr. Scappaticci would like this referred to the Law Department.

Councilman Sciliano is in agreement with Mr. Cannella.

Councilman Vetere is in agreement with Councilman Scappaticci, refer it to the Town Attorneys and have the Harrison Association residents review it for any changes.

Supervisor Walsh would like to refer it to the Town Planner and the Chair of the Planning Board.

Councilman Cannella interjected that he has had lengthy conversations with the Town Planner in this and detailed conversations with the Chairman of the Planning Board on this to explain his views. No one has expressed objection, but they should speak for themselves. Any member of this Board, based on the rules that we adopted at the beginning of the year has the right to cause any matter that comes before this Board to be deferred for one month. He doesn't want this matter to sit in the Law Department for some time. Mr. Cannella wants this to come back to the

next Town Board Agenda.

Councilman Scappaticci is asking for it to be deferred, it doesn't address the issue. Councilman Cannella would like this on the next agenda.

Supervisor Walsh stated that this will be referred to the September 18th Town Board Meeting. She went on to say there are a group of people working on the Master Plan right now. They've been reviewing it and reviewing the comments that came from all the meeting and public hearings that were held and she has been speaking to Harlan at Buckhurst Fish (BFJ Planning) to get a copy of the very latest version of the Master Plan. She has been on vacation for some time. We now have it and people have seen it and are working on it. Mr. Cannella said that the Board has gone through multiple public hearings, there's been input by various people, its gone to the Planning Board, who has made a referral to the Town Board so it was right for Town Board deliberations. Councilman Cannella asked who is working on revising the Planning Board's recommendations and on what authority its being done.

Supervisor Walsh replied that it is being done on her authority.

Councilman Cannella stated that that is not the process. We have a referral from the Planning Board to the Town Board.

Supervisor Walsh replied that someone needed to take the lead on this, it has sat there and no one has taken the lead.

Councilman Cannella stated "what are you talking about" its time for the Town Board for this to be put on the Town Board Agenda to be subject to the normal Town Board deliberations. Who are the committee members.

Supervisor Walsh said that Mary Malara, Bob FitzSimmons, herself. Mrs. Walsh could not remember the name of the fourth person. She explained that she has been talking to Harlan about it making sure that they understood that the suggestions made at various public hearings were considered and she had incorporated a number of them in there. Mrs. Walsh stated that she would be happy to give Mr. Cannella the most up to date copy.

Mr. Cannella stated that when she is done with this, it would be his expectation, that since this is not being done by the Town Board which it should be done subject to public comment that this would not need to go back to the Planning Board. He asked are you rewriting this?

Mrs. Walsh replied no, it is not being rewritten.

Councilman Scappaticci asked, what are you doing with it.

Mrs. Walsh replied that you have to look at to see if Harlan has put the changes in and if they are really things that we want.

Mr. Cannella asked, with all due respect, you have the capacity to do that.

Mrs. Walsh asked, do you propose we hold Saturday meeting and talk about this. It can not be done at a Town Board meeting.

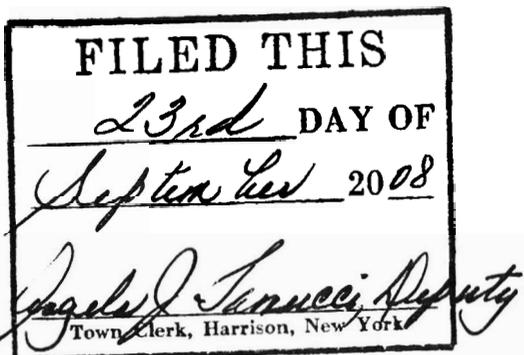
Councilman Cannella replied, that's the process. This has been referred to the Town Board for deliberations.

Supervisor Walsh then suggested the Board set another date regarding this matter, when they have their calendars.

The Board was in agreement.

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DISCUSSION: RESIDENTS OF AVONDALE ROAD RE: DRAINAGE ISSUE

Rosemarie Mogavaro spoke on behalf of the residents of Avondale Road, stating that here they are again. It is very distressing to have to plead their case for a situation by all accounts your own making, responsibility and obligation. A visit to the area should have been made. Several weeks ago Mrs. Mogavaro met with Mayor Walsh and Commissioner Wasp and was given suggestions of getting together with her neighbors to hire their own engineer, mounding dirt in our backyards or piling together railroad ties and tarring them. She further stated that they have absorbed thousands in damages and put you on notice that your drainage system is causing them damage, cost for which they will no longer absorb. In the last several years the Town has ignored this area in regard to maintenance, excluding, of course the replacement of a completely deteriorated pipe. It is the Town's obligation and responsibility to rectify what is wrong and to not do so is neglect.

Councilman Vetere asked what the Town did on Argyle Road doesn't work.

Mrs. Mogavaro replied correct, we've been flooded twice this year.

Councilman Cannella interjected that one member of the Town Board did visit Mrs. Mogavaro.

Supervisor Walsh stated that she had also visited Mrs. Mogavaro, walked on her property but Mrs. Mogavaro wasn't home.

Mr. Vetere asked what does not work.

Mrs. Mogavaro stated that the fact that the amount of water that is coming into the system is way more than can be handled by what's in place.

Mr. Vetere asked do you mean the pipe is not large enough.

Mrs. Mogavaro it's not the size of the pipe. It's that too much water coming from too wide of an area and being you have Adelphi, Avondale and Bellain, and all the water that comes from them, all that water comes down, goes through a pipe which goes out eventually to the Thruway.

Mr. Cannella stated that when he went there there's an entrance where water comes through underneath the tracks at MetroNorth and then there's a swell, not sure if it was constructed or natural, where water comes down on both sides and moves into one low area where there is a fairly large pipe which he thinks the Town repaired last October. When it rains significantly the ditch fills and the pipe doesn't have the capacity to move it quickly away there are clearly **alge** (green) marks around the house where you can see that the water not only filled the backyard but

worked its way up the wall and stayed there for a long enough period of time to discolor and show with greenish coloration on the sides of the wall so clearly the statement is a hundred percent accurate of what is happening there. Mr. Cannella and Mr. Wasp spoke about this, this week for a solution.

Commissioner of Public Works Robert Wasp gave some history on this issue. The residents know this history since they and Mr. Wasp had a long discussion about the problem last year. The town did take some action. One of the reference documents dates back to 1992 when the Engineer William Morgenroth did a detailed study of the area and he cited some of what was stated tonight. there is a rather large drainage area and the topography of the land shows that the Mogavaro's property adjacent to the pipe is the lowest point in a bowl type of fact. This is in the 1992 report. It cited the fact that water does come from the other side of the tracks. On the easterly side of the tracks, comes underneath this side of the tracks to this low point it also pointed out that there was another problem in the piping system out by Bellain was an undersized pipe. Back in 1992 right after this report some changes were made. A larger pipe was built out by Bellain which discharges into a stream wetland which runs along I95. It doesn't go under I-95, it actually runs parallel past West Street, along Grove Street and connects to the Mamaroneck River. This is a fact because the highway department, after meeting with Mrs. Mogavaro has been trucking through the area to see what problems there are. There are situations like this and is a large storm this is going to happen. There is a quotation in this report that says "once every five years". That's as best an engineer's guess that they made in 1992. It tells you that it's an area that could be subject to intense storms and the limiting factor is it's a low area, it's relatively flat and the pipes that are in there could only take so much flow. We put in a new 25 by 36 inch pipe in the section of Avondale that was partially collapsed, partially pitched incorrectly and that matches up with the pipe system that runs out which is essentially a 30 to a 36 inch pipe. there's actually a smaller section in there but the amount of flow that goes through this pipe is substantially more than it was before we did the corrections last year. But if we get an intense rainfall the amount of water that comes blasting into this area, it comes underneath the tracks into this catch man area the pipes cannot handle it. The highway department goes out and checks. At the far end by Bellain the water is flowing through the pipe, it's not backing up from the wetland up to the homes it's the pipe limitation and it's based upon the amount of the area that we have in place.

Councilman Cannella asked if there was a question of the pitch of the pipe coming out to Bellain.

Mr. Wasp replied that once it gets to Bellain there's a little bit of water standing in there but has no effect on the hydraulics when it flows. The area that's there allows free flow. There's no obstruction or impediment to the flow. The men have walked all the way down almost to where it meets with the Mamaroneck River. There's no major obstruction, it won't help to do a major dredging of that area. That was also in the report. One consideration that was discussed a year and a half ago was there a way we could limit a flow that comes from the other side of the tracks. The Engineers will always say, of course there's always another solution. If we could direct some of that water from coming under the tracks we can reduce some of that flow getting into the drainage system. That would require another significant drainage system on the other side

going along Francis Avenue connecting to the Brentwood Channel. This was discussed with the Board after the April storms last year. They are trying to do as much as they can, to do the biggest benefit for the residents with the money we have. Last year what was done was an \$80,000 expenditure, a good correction to the system. The stream has been looked at and is not a problem from Mr. Wasp's standpoint. His crew is out there today and some other streets in preparation for the upcoming storm. Something has already been done. There is another solution that possibly can help and that's by building another drain but that's on a priority list for the town to take a look at. We have forty projects. Most of the town's sewers are designed for two year storms or ten year storms at best. Before the meeting Mr. Wasp handed the Mayor some rainfall data the last five years we're averaging about ten inches of rain above normal that's a fact from the Federal Noah Agency. That has a compound effect is that it raises the ground water. The ground water being raised promotes more flow in the stream and also creates less storage for water when it rains.

What Rosemarie said about doing something in her backyard. Mr. Wasp continued that there's no way of building railroad ties or anything to prevent your property but you can raise the grade in property to prevent water from coming to your home. An Engineer could evaluate if you raise the grade in your yard is it going to be high enough for the flood ... That's why Mr. Wasp suggested having an engineer. This isn't town property, its private property and there are several home owners that seem to be interested.

Mrs. Mogavaro said that it's private property that's being flooded because of the town's direct drainage system which is coming through. Its not her water, its Franklin and the other side of the tracks water that doing this to them. So its not private property issue.

Mr. Wasp replied that the question of whose water it is a lot of talk about this in every community in Westchester. There's water that it falls on the street and once it goes off the street its everyone's water. It's not the town's responsibility for all this water. There's water running off private property. The Town has the responsibility to put together a viable drainage system, we can't design for all the storms or for these flash floods there will be instantaneous overloading of systems. That's a fact. We have houses that aren't built in the best places but that's past history now, we stand ready to help.

After lengthy discussion, Supervisor Walsh stated that they have fixed the pipe that's along side, we have followed the stream to make sure that it is as clear as it possibly can, so the water can flow down there, but because your property, as Mr. Wasp explained, is in the low point, it comes down from Adelphi, it comes from every area and winds up there. Even if there was water coming under the tracks you (Mrs. Mogavaro) would still have too much water there. If we ran a parallel pipe it would certainly help a lot, we did a preliminary analysis of how much flow comes from the other side and quite there's a significant amount that does come from the other side. It would be less expensive to work from the other side, which has already been discussed.

Mrs. Walsh said that we talked about a second pipe and Mr. Wasp explained that a second pipe would be more costly. If you build a pipe to the Brentwood Channel, you have to look at FEMA. Where would the water go if not to their neighborhood.

We would have to send it someplace else, to the Brentwood Channel. It's less expensive than a parallel pipe. It would cost around more than \$200,000 less than \$500,000.

Mr. Wasp that this is one project along with many others.

Mrs. Walsh how fast does the water get down to Mamaroneck, if it goes into the Brentwood Brook, then it floods down in Mamaroneck. It's a consideration we have to look at as we are looking at all the different projects.

Mrs. Walsh explained that she doesn't want the Town to be terribly, terribly in debt. We've bonded a lot of money this year. There has to be a balance between what we spend and we can accomplish. She further stated that they would get back to the Mogavaro's.

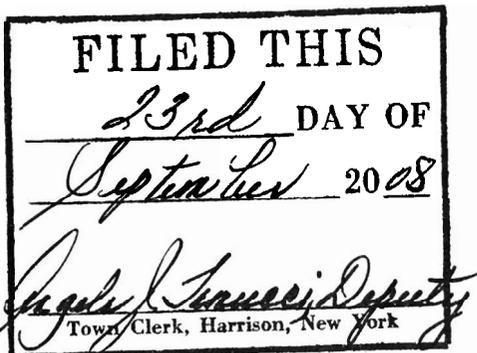
Councilman Sciliano asked if Mr. Wasp could budget this for next year. Could you look at the drainage projects for next year?

Mrs. Lucille Held spoke about the amount of building go on in the town and how she feels sorry for the Mogavaros.

Supervisor Walsh explained that we are now paying for the sins of the past, and that one of the goals of the present Master Plan is to identify those areas that would be at risk in the future. But you can't tell people to tear their houses down because they were built in the swamp. Her own house was built in 1964, the entire area was in a drought, now there are two springs in the front yard. Her house is moving because of the springs. We will talk to Mr. Wasp, make a list of priorities and see what happens.

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September 4, 2008

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DISCUSSION: SAM FANELLI OF WEST HARRISON

Supervisor Walsh explained that Mr. Fanelli's problem is related to the Streetscape project in Silver Lake. At present, curbs are being put in. There are many stores in that area and merchants are suffering. She has made an appeal to stop by and support these merchants. It is getting better but due to the nature of construction, one week is better and then gets worse and then better. It will all get better.

Mr. Fanelli addressed the Board. He owns the service station next to Aquario's Restaurant in West Harrison. About two years ago the Planning Board, Zoning Board permitted the restaurant to extend his building to the edge of Mr. Fanelli's property. Prior to the extension his driveway was to the side of Mr. Fanelli and there was never any parking because of the width of the driveway you could not block. Upon the completion of the building, they started parking right up to the exit of Mr. Fanelli's driveway of the service station. He has received numerous complaints from customers that have almost been killed while pulling out of the station. When you pull out your line of sight is almost gone, because people are parking right up to the exit of the driveway. When Lt. Rick DiBuono and the police came to the area, they noticed it was definitely a dangerous situation that came about from the extension of the building. About twenty feet was cut back and yellowed out, so that no one could park there. Since that time people have stolen 32 orange cones that have been out in the street as well as seven no parking stands. When everyone met with the Engineers about the Streetscape we had to agree about the underground wires, or that process would not go further. Mr. Wasp told him that the curb problem would be corrected, probably bump the curb out so you could not park there. When there are different functions taking place in the restaurant, the cones, the signs are moved out and people park there. Yesterday, there was a meeting and it was agreed to bump the curb, this morning the men came and they said that that was taken away. Mr. Fanelli stated Mr. Wasp argued that if you bump out the curb and put planters on it people would still not see the bump out and hit the curb. Mr. Fanelli stated you're talking about a bump out of two feet or so, so that no one can park there. The police try to enforce it; but it doesn't get enforced because by the time he calls the police, cars get moved. Mr. Fanelli states that this is a situation that is going to kill somebody. When you pull out of his service station and the line of sight is blocked you will get t-boned and crush the side of the driver's door who is trying to pull out. Mr. Fanelli stated The Chief and Lt. Rick DiBuono are all for a bump out because they understand there is a dangerous situation.

Chief of Police David Hal addressed the Board and agreed with Mr. Fanelli. The Chief stated there was plenty of distance to install a 2 foot bump out on the curbing. The Chief stated that White Plains has similar bump outs on Mamaroneck Avenue.

Commissioner of Public Works Robert Wasp addressed the Board. Mr. Wasp stated the first priority is safety. Mr. Wasp explained that he has evaluated putting in a curb bump out many years ago because the store owners were opposed to it. Mr. Wasp further explained that with the current renovations to the streetscape, the sight line will increase because utility poles are being removed. Mr. Wasp stated he is currently not in favor of one bump out on the street.

Councilman Sciliano stated he was not in favor of a bump out because of the safety concerns of people hitting it as well as snow plows crashing into it.

Mr. Fannelli argued that the bump out can be painted yellow and a planter can be added on it to increase the visibility for it.

Mr. Wasp stated he was not in favor of adding a bump out in one location. However, if the Board would like to add bump outs at both sides of Grant St. in addition to in front of Aquario's then he would be in favor of the proposal.

Councilman Vetere agreed with Mr. Fanelli that the bump outs should be added.

Councilman Scappaticci stated if the bump outs were going to be added then there should be one added in front of the bank on Lake Street.

Mr. Wasp reminded the Board that with every bump out added 1-2 spaces are lost.

Councilman Sciliano stated he believed this situation could be handled without the bump outs.

Supervisor Walsh asked Mr. Wasp if the bump outs could be added later.

Mr. Wasp stated yes. Mr. Wasp continued by recommending to build the sidewalk as it stands and add the bump outs later because it will take time to get the material to make the bump outs.

Councilman Cannella stated since the curbs are being built to design, Mr. Cannella recommended to the sidewalks remain the same until Councilman Sciliano, Mr. Wasp and Chief Hall find a solution.

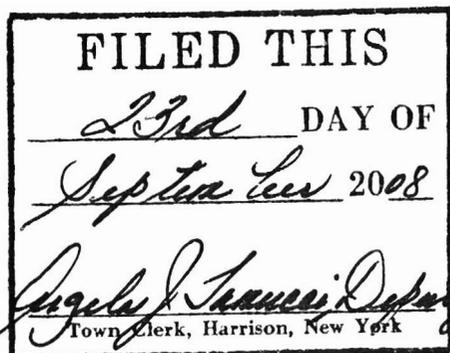
Kris Hughes, resident addressed the Board and stated she was concerned with people speeding on Lake Street.

Supervisor Walsh stated the speed limit is 25mph and it can not be lowered below 25mph.

Roy Porto, resident, addressed the Board and stated the police should enforce the speed limit on the street.

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September 4, 2008

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ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Monthly report by the Town Clerk for July 2008.
- 1b. Monthly report by the Fire Marshal for July 2008.
- 1c. Monthly report by the Superintendent of Recreation for July 2008.
- 1d. Monthly report by the Receiver of Taxes for July 2008.
- 1e. Monthly report by the Building Inspector for July 2008.
- 1f. Monthly report by the Chief of Police for July 2008.

2. Notification by the Common Council of the City of White Plains that a public hearing will take place on Monday, September 8, 2008 at 7:30 PM in the Common Council Chambers at City Hall, 255 Main St, White Plains, NY, to consider the application of UCM/Onyx, 1311 Mamaroneck Owners, LLC, the owners of the property known as 1311 Mamaroneck Ave, White Plains, NY, Section 138.18, Block 1, Lot 3, which property is an environmentally sensitive site under section 4.425 of the Zoning Ordinance of the City of White Plains, for approval for a Special Permit/Site Plan to allow the placement of a "Mary Moppet's" Children's Day Care Center in an existing office building.

3a. Invitation from Superintendent of Recreation Ron Belmont to the Supervisor/Mayor Joan Walsh, Town Board Members and all the residents of Harrison to participate in our weekend of festivities of "It's Great to Live in Harrison /Columbus Day Observance. The weekend of events are as follows:

Saturday, October 11th Fireworks at the WH Fire Department 7:00 pm.

Sunday, October 12^h – Car Show-Sponsored by the Harrison Police Association, Harrison Train Station parking lot, 1:00 – 4:00 pm

Monday, October 13th – Parade 10:00 am (line-up 9:30 am) Festival in Ma Riis Park immediately following parade.

3b. Invitation from Superintendent of Recreation Belmont to the Supervisor /Mayor and Town Board Members and all Harrison residents to an evening of music and song performed by The London Welsh All Male Choir on Monday, September 15, 2008, at 7:30 pm at the Harrison High School.

Mr. Jeff Jones stated that the tickets are now on sale at \$20 per ticket, Seniors-\$10. The proceeds will benefit the Harrison High School Band.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci 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
-

FILED THIS
23rd DAY OF
Septem ber 20 *08*
Angela Scappaticci, Deputy
 Town Clerk, Harrison, New York

September 4, 2008

2008 - - 418 - - a

PUBLIC HEARING: PURSUANT TO ARTICLE 2, SECTION 10 AND ARTICLE 3, SECTION 20 OF THE MUNICIPAL HOME RULE LAW, TO REPEAL PRESENT SECTION 235-26 ENTITLED: "FENCES AND WALLS" FOR REVISION OF THE FENCE CODE TO THE TOWN/VILLAGE CODE BY LOCAL LAW NO 8 OF 2008

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

Village Attorney Robert Paladino addressed the Board. Mr. Paladino stated a few months ago, resident Albert Pirro submitted proposed changes to Section 235-26 of the Municipal Home Rule Law regarding fences and walls in front of homes. Upon submission of those proposals to the building department, Building Inspector Robert FitzSimmons rewrote the entire section. Mr. Paladino explained that there have been uniformed comments from many members in Town regarding the proposed changes.

Mr. FitzSimmons addressed the Board and stated he did not receive any additional comments regarding the law. Mr. FitzSimmons stated the law basically stays the same. Some of the changes include allowing higher fences in the rear of the property with additional screening, the setbacks distance of the fences and the height of fences. A discussion ensued between Mr. FitzSimmons and the Bard regarding the changes.

JoAnn King, resident, addressed the Board and asked if these changes in the law would have any effect on the Sherman Avenue development proposal.

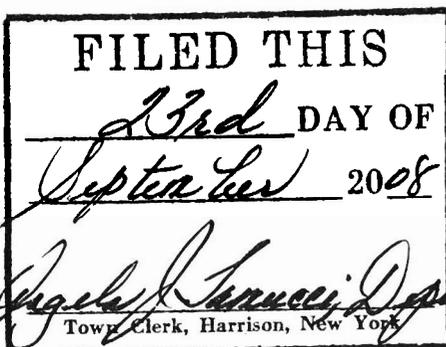
The Supervisor stated no.

Chris Hughes addressed the Board and asked if a homeowner would need a permit for a dog pen in the middle of their yard.

Mr. FitzSimmons responded yes.

Copies to:

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



September 4, 2008

2008 -- 418 -- b

ADOPTION OF LOCAL LAW NO. 8 OF 2008, ENTITLED "FENCES AND WALLS"

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve Local Law No. 8 of 2008, ENTITLED "FENCES AND WALLS"

235-26

Permit required.

- A. For the purposes of this section, the term "fence" also includes every type of wall, and a repair made to more than 25% of an existing fence shall be considered a replacement. No person shall erect or install a new fence or shall extend, enlarge, replace or substantially modify an existing fence without having obtained a permit from the Building Inspector.
- B. An application for a permit shall be made to the Building Inspector, on forms provided by the Building Department, and shall contain the following information:
- (1) An accurate plan showing property lines and the location of the proposed new or modified fence on or within the applicant's property lines and the height of the proposed new or modified fence.
 - (2) The full name and address of the owner and of the applicant.
 - (3) A brief description of the materials to be used.
 - (4) Such other information as may reasonably be required by the Building Inspector to establish compliance with all applicable requirements.

Fences, walls.

C. In residence districts.

- (1) No fence or wall in a required front yard shall have a height greater than four feet.
- (2) No fence or wall in a required rear or side yard shall have a height greater than six feet, six inches.
- (3) In no case shall any fence or wall have a height greater than six feet, six inches.
- (4) All fences to be erected will have a finished side of the fence facing toward adjoining neighboring property(ies):
- (5) Corner lot fences and walls. Fences and walls on corner lots may be up to six feet, six inches high in required front yards that are opposite side yard lines only if:
 - (a) The fence is installed in that portion of the required front yard that lies between the nearest rear wall of the dwelling and the rear lot line.
 - (b) The fence is set back a minimum of five feet from the front lot line.
 - (c) Appropriate ornamental planting or natural buffer is provided in the form of plant material approved by:

- [1] The Building Inspector for a proposed fence that is not part of site plan review or subdivision approval.
 - [2] The Planning Board pursuant to § 204 for a proposed fence that is part of a subdivision application.
 - [3] The Planning Board pursuant to § 235-71 for a proposed fence that is part of a site plan application.
- (6) Fences on through lots, as defined by this Code, may be up to six feet, six inches high in the front yard that is not used as the primary access to the dwelling only if:
- (a) The fence is installed in that portion of the required front yard that lies between the nearest rear wall of the dwelling and the rear lot line.
 - (b) The fence is set back a minimum of five feet from the rear lot line.
 - (c) Appropriate ornamental planting or natural buffer is provided in the form of plant material approved by:
 - [1] The Building Inspector for a proposed fence that is not part of site plan review or subdivision approval.
 - [2] The Planning Board pursuant to § 204 for a proposed fence that is part of a subdivision application.
 - [3] The Planning Board pursuant to § 235-71 for a proposed fence that is part of a site plan application.
- (7) In the R-1, R-2, R-2.5 Zoning Districts, a gate and/or gateposts at a driveway entrance or exit, which are set back 10 feet from the front lot line or 20 feet from the edge of pavement, whichever is greater, may exceed the foregoing height limitation but shall not exceed eight feet in height and for not more than an aggregate width of 25 feet. In all other Residence Districts, the height limitations apply.
- (8) Flagpole lot fences and walls.
- (a) Fences and walls on flagpole lots may be up to six feet six inches high in the required front yards.
 - (b) No fence or wall installed along the pole portion of the lot shall have a height greater than four feet within a distance from the right-of-way equal to the required front yard setback.
 - (c) No fence or wall installed along the pole portion of the lot a distance greater than the required front yard setback from the right-of-way shall have a height greater than six feet, six inches.
- (9) Outdoor tennis courts, paddle courts, basketball courts, and other similar courts which are located in conformance with § 235-9B and § 235-18B(2) may be fenced to a height not to exceed 10 feet above the average natural grade only if:
- (a) The fence is an open mesh type (chain link).
 - (b) Screened from the view of the street and abutting residentially owned properties. Such screening shall be a landscape strip planted with evergreens, with an actual Height of at least six feet above the natural grade when installed.
 - (c) Fence enclosures may be equipped with the customary attached windbreaks.

D. In a Business District:

- (1) No fence or wall exceeding four feet in height within the required front yard or exceeding eight feet in height within a required side or rear yard shall be constructed on any lot.
- (2) The height of any other fence or wall shall not exceed 10 feet in height.

E. Method of measuring the height of a fence or wall. The height of a fence or wall shall be measured from the ground level at the base of the fence, except that, where there is a retaining wall, the height shall be measured from the average of the ground levels at each side of the retaining wall and further except that any fence or wall on the uphill side of such retaining wall may be at least four feet high, notwithstanding the provisions of Subsections C and D.

F. Electronically charged aboveground fences, barbed-wire fences and other fences constructed of sharp materials are not permitted.

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

Adopted by the following vote:

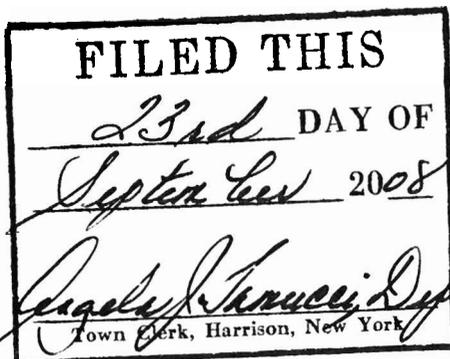
AYES: Councilmen Cannella, Vetere, Sciliano and Scappaticci
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 419 - - a

PUBLIC HEARING: PURSUANT TO ARTICLE 2, SECTION 10 AND ARTICLE 3,
SECTION 20 OF THE MUNICIPAL HOME RULE LAW TO ADD A NEW ARTICLE OF
"CHAPTER 35-10" TO PROVIDE A NEW CLASSIFICATION OF ALTERNATIVE
VETERANS' EXEMPTION (COLD WAR VETERAN), EXEMPTIONS PURSUANT TO
REAL PROPERTY TAX LAW SECTION 458-B AS LOCAL LAW NO. 7 OF 2008.

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

Town Attorney Frank Allegretti stated there has already been a lengthy discussion regarding this change. Mr. Allegretti reiterated that this chapter would include a gap in service between 1945 and 1991 for Cold War Veterans.

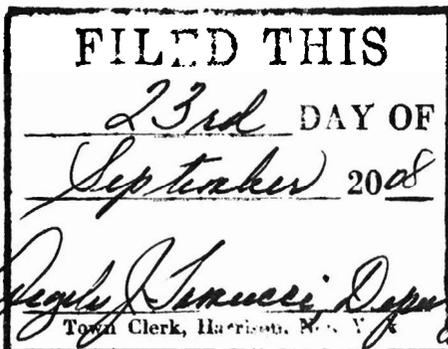
Councilman Scappaticci asked if this included Korean War Veteran's.

Mr. Allegretti responded yes.

With one else speaking in favor or against the new Local Law the Hearing was closed.

Copies to:

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



September 4, 2008

2008 - - 419 - - b

ADOPTION OF LOCAL LAW NO. 7 OF 2008, NEW CLASSIFICATION OF
ALTERNATIVE VETERANS' EXEMPTION (COLD WAR VETERAN)

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to adopt Local Law No. 7 of 2008 adding a new Article III of "Chapter 35-10" to provide a New Classification of Alternative Veterans' Exemption (Cold War Veteran), effective June 1, 2008 as follows:

35-10.

1. Purpose.

The purpose of this Article is to grant Cold War veterans who meet the requirements set forth in Section 458-b of the New York Real Property Tax Law a real property tax exemption.

2. Definitions.

As used in this Article:

"Cold War Veteran" means a person, male or female, who served on active duty in the United States armed forces during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, was discharged or released there from under honorable conditions and satisfies any other requirements set forth in Section 458-b(1)(a) of the New York State Real Property Tax Law.

1. "Armed forces" means the United States Army, Navy, Marine Corps, Air Force, and Coast Guard.

2. "Active duty" means full-time duty in the United States armed forces, other than active duty for training.

3. "Service connected" means with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service during the period 9/2/45 – 12/26/91.

4. "Qualified owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.

5. "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to full taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran, of or the unremarried surviving spouse of a Cold War veteran; unless the Cold War or unremarried surviving spouse is absent from the property due to

medical reasons or institutionalized subject to such time limitations, if any, as are set forth in Section 458-b(1)(f) of the New York State Real Property Tax Law.

6. "Latest state equalization rate" means the latest final equalization rate established by the New York State Board of Real Property Tax Services pursuant to Article twelve(12) of the New York State Real Property Tax Law for use in a special assessing unit as defined in Section 1801 of the New York State Real Property Tax Law.
7. "Latest class ratio" means the latest final class ratio established by the New York State Board of Real Property Tax Services pursuant to Title One of Article XII of the New York State Real Property Tax Law.

§35-10-a Amount of Exemption; Limitations.

1. Qualifying residential real property shall be exempt from taxation to the extent of fifteen per cent (15%) of the assessed value of such property; provided, however, that such exemption shall not exceed twelve thousand (\$12,000) or the product of twelve thousand dollars (\$12,000) multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
2. In addition to the exemption provided by Subdivision "1" of this Section where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States Department of Defense because of a service-related disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent (50%) of the Cold war veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars (\$40,000) or the product of forty thousand dollars (\$40,000) multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
3. If a Cold War veteran receives either a veteran's exemption under Article I of this Chapter, authorized by Section 458 of the Real Property Tax Law, or an alternative veteran's exemption under Article II of this Chapter, authorized by Section 458-a of the Real Property Tax Law, the Cold War veteran shall not be eligible to receive an exemption under this Article.

§35-10-b. Duration of Exemption.

1. The exemption provided by Subdivision "1" of Section 35-10 b. of this Article shall be granted for a period of ten years. The commencement of such ten-year period shall be governed pursuant to this Section. Where a qualified owner owns qualifying residential real property on the effective date of this Article, or such other date as may be set forth in Section 458-b(2)c of the New York State Real Property Tax Law, such ten-year period shall be measured from the Assessment Roll prepared pursuant to the first taxable status date occurring on or after the effective date of this Article, "or effective with 2008 Roll with it showing up in 2009 Taxes on in Taxes after 6/1/08", or such other date as may be set forth in Section 458-b(2)c of the New York State Real Property Tax Law. Where a qualified owner does not own qualifying residential real property on the effective date of this Article, or such other date as may be set forth in Section 458-b(2)c of the New York State Real Property Tax Law, such ten-year period shall be measured from the Assessment Roll prepared pursuant to the first taxable status date occurring at least sixty (60) days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the Assessment Roll prepared pursuant to a taxable status date occurring within sixty (60) days after the date of purchase of residential real property, such ten-year period shall be measured from the first Assessment Roll in which the exemption occurs. If, before the expiration of such ten-year period, such exempt property is sold and replaced with other residential real property and is the principal residence of the veteran or spouse, etc. such exemption may be granted on the new property pursuant to this Section for the unexpired portion of the ten year exemption period.

§35-10-c. Application for Exemption.

1. Application for the exemption set forth in this Article shall be prescribed by the New York State Board of Real Property Tax Services. The owner or owners shall file the completed form in their local Assessor's office. The property owner shall be required to refile at such times and under such circumstances as may be set forth in Section 458-b(4) of the New York State Real Property Tax Law. Any applicant

convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the New York State Penal Law.

This law shall take effect on June 1, 2008 and shall apply to Assessment Rolls based upon taxable status dates occurring on or after such date. This local law shall take effect immediately upon filing with the Secretary of the State of New York.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

Copies to:

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

FILED THIS

23rd DAY OF

September 2008

Angela J. Traversi, Deputy
Town Clerk, Harrison, New York

September 4, 2008

2008 -- 420 -- a

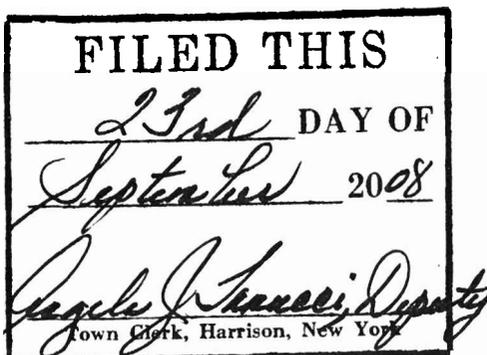
PUBLIC HEARING: RE: APPLICATION OF METRO PCS NEW YORK, LLC FOR A
SPECIAL EXCEPTION USE PERMIT TO COLLOCATE A WIRELESS
TELECOMMUNICATIONS FACILITY, CONSISTING OF ANTENNAS AND
ASSOCIATED EQUIPMENT ON THE ROOFTOP OF THE EXISTING BUILDING AT
4 WEST RED OAK LANE

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

With no one speaking for or against the Application, the Hearing was closed.

Copies to:

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



September 4, 2008

2008 -- 420 -- b

APPROVAL OF THE APPLICATION OF METRO PCS NEW YORK, LLC FOR A SPECIAL
EXCEPTION USE PERMIT TO COLLOCATE A WIRELESS TELECOMMUNICATIONS
FACILITY, CONSISTING OF ANTENNAS AND ASSOCIATED EQUIPMENT ON THE
ROOFTOP OF THE EXISTING BUILDING AT
4 WEST RED OAK LANE

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the application of MetroPcs New York, LLC for a Special Exception Use Permit to collocate a wireless telecommunications facility, consisting of antennas and associated equipment on the rooftop of the existing building at 4 West Red Oak Lane.

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

Adopted by the following vote:

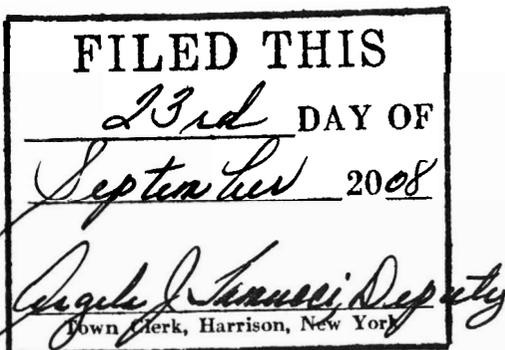
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 -- 421 -- a

AUTHORIZATION FOR POLICE OFFICER FRANK MASSARO
TO ATTEND IONA COLLEGE, FALL 2008. COST: \$2,850.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for authorization for P.O. Frank Massaro to attend Iona College for the 2008 Fall Semester, at a cost of \$2,850, taking the following course:

“White Collar Crime”

FURTHER RESOLVED that, upon satisfactory completion and submission of P.O. Frank Massaro’s attendance and proof of payment, the Comptroller is authorized to audit and pay for expenses as outlined in the contract with Harrison Police Association.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci and Sciliano
Supervisor Walsh

NAYS: Councilman Vetere

ABSENT: None

Copies to:

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

FILED THIS
23rd DAY OF
September 2008
Joseph J. Amucci, Deputy
 Town Clerk, Harrison, New York

September 4, 2008

2008 -- 421 -- b

AUTHORIZATION FOR POLICE OFFICER ANTONY SALOV
TO ATTEND WESTCHESTER COMMUNITY COLLEGE, FALL 2008.
COST: \$1,171.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for authorization for P.O. Antony Salov to attend Westchester Community College for the 2008 Fall Semester, at a cost of \$1,171 for the following courses:

“Global Terrorism” and “College Algebra Functions & Models”

FURTHER RESOLVED that, upon satisfactory completion and submission of P.O. Antony Salov attendance and proof of payment, the Comptroller is authorized to audit and pay for expenses as outlined in the contract with Harrison Police Association.

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

Adopted by the following vote:

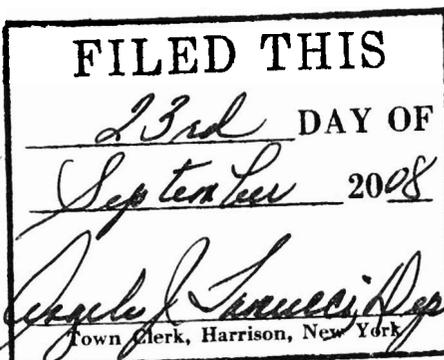
AYES: Councilmen Cannella, Scappaticci and Sciliano
Supervisor Walsh

NAYS: Councilman Vetere

ABSENT: None

Copies to:

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



September 4, 2008

2008 -- 422

AUTHORIZATION FOR DEPUTY ASSESSOR MARK HEINBOCKEL AND
ASSESSOR JAMES CALANDRUCCIO TO ATTEND
THE ANNUAL NYS ASSESSOR'S CONFERENCE,
AT THE HUDSON RESORT, KERHONKSON, NY. COST: \$1,000 PER PERSON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Deputy Assessor Mark Heinbockel for authorization for himself and Assessor James Calandruccio to attend the annual NYS Assessor's Conference, at the Hudson Valley Resort in Kerhonkson, NY on September 21 through 24, 2008, at a cost of \$1,000 per person. Mr. Heinbockel or Mr. Calandruccio did not attend the 2008 summer seminar.

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

Adopted by the following vote:

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

NAYS:

ABSENT: None

Copies to:

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

FILED THIS
23rd DAY OF
September 2008
Regina J. Trucci, Deputy
 Town Clerk, Harrison, New York

September 4, 2008

2008 - - 423

AUTHORIZATION FOR FIRE MARSHAL STEVE SURACE TO ATTEND
THE 2008 INTERNATIONAL CODE COUNCIL ANNUAL CONFERENCE & FINAL
ACTION HEARINGS IN MINNEAPOLIS, MINNESOTA,
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 2008 International Code Council Annual Conference & Final Action Hearings in Minneapolis, Minnesota, from September 20 through the 22, 2008, at a cost no to exceed \$500 for meals and ground transportation. The International Residential Code Fire Sprinkler Coalition is offering travel assistance to attend this conference and will cover the cost of his air transportation and the cost of a hotel room for the two nights of his stay.

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

Adopted by the following vote:

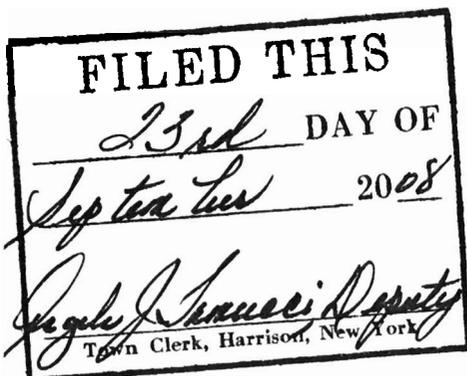
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS:

ABSENT: None

Copies to:

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- Benefits
- Bldg
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- Supvs'r



September 4, 2008

2008 -- 424 -- a

APPROVAL FOR MR. HAL KERN, 18 WOLFE LANE, BLOCK 0971, LOT 020,
TO HAVE HIS PROPERTY WITHDRAWN FROM THE MUNICIPAL SEWER DISTRICT.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Mr. Hal Kern for authorization to withdraw his property from the Municipal Sewer District.

FURTHER RESOLVED that no refund will be made to Mr. Kern for sewer taxes.

FURTHER RESOLVED that the Town Clerk will forward a letter regarding this Resolution to the County of Westchester.

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

Adopted by the following vote:

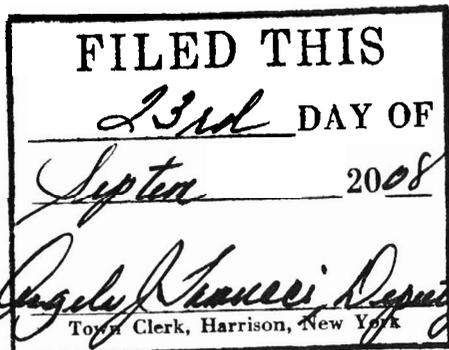
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

Assessor
 Benefits
 Bidg
 Compt'lr
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 Law
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 P. Wrks
 Purch'g
 Recr'tn
 Supvs'r



September 4, 2008

2008 -- 424 -- b

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

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by the following residents to withdraw their homes from the Mamaroneck Valley Sewer District:

- Judy Goldstein, Block 302, Lot 32, 6 Palma Dr, Harrison.
- Mr. & Mrs. DiGuglielmo of 189 Old Lake St, W. Harrison.
- Frances Vanderheof of 745 Lake St, W. Harrison.
- William & Kelly Shopovick of 239 Old Lake St, W. Harrison.
- Rayot & Susan DiFate of 761 Lake St, W. Harrison.
- Ole & Jeannine Johansen of 190 Old Lake St, W. Harrison.
- Michele & Antonio Agazzi of 260 Lake St, W. Harrison.
- Angela & John Ader of 261 Old Lake St, W. Harrison.
- Sal Ader of 255 Old Lake St, W. Harrison
- Charles & Jane Russo, 251 Old Lake St, W. Harrison
- Jean Fox, 34 Wolfe Lane, Purchase
- Maria Seguinot, 246 Old Lake St, W. Harrison
- Barbara Bisceglia, 795 Lake St, W. Harrison
- Anne Thompson, 225 Old Lake St, W. Harrison,

FURTHER RESOLVED that the Town Clerk will forward a letter regarding this Resolution to the County of Westchester.

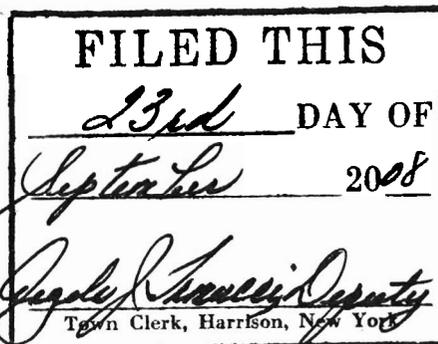
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Assessor.

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
- Engng
- Law
- Police
- P. Wrks
- Purch'g
- Reer'tn
- Supvs'r



September 4, 2008

2008 - - 425

APPROVAL FOR HARRISON FIRE DISTRICT NO. 2 TO SET THE DATE OF
SEPTEMBER 18, 2008 FOR A PUBLIC HEARING RE: A BOND FOR PROPOSED
CONSTRUCTION RENOVATIONS OF THE DOWNTOWN FIRE HOUSE.

Supervisor Walsh explained that Fire District No. 2 would like to make changes in the building and to put an addition on the back.

Mrs. Walsh asked Town Attorney Frank Allegretti if that was a mandatory referendum.

Attorney Allegretti replied No, it is not a mandatory referendum. It would be a Bond subject to Permissive Referendum. Mr. Allegretti spoke to the bond counsel and reported that this is not a fire district, it's a water district, so it is subject to permissive referendum.

Mrs. Walsh stated that the discussion on the 18th will include charts of their proposals and the cost.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of the Harrison Fire Department (FD#2) for authorization to set the date of September 18, 2008 for a Public Hearing for proposed construction renovations of the downtown fire house.

FURTHER RESOLVED that this request is subject to Permissive Referendum.

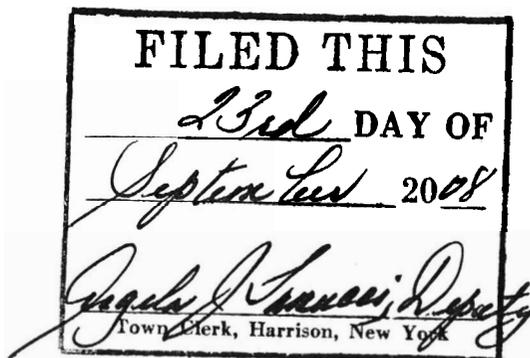
FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys and Chief Mohr.

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

September 4, 2008

2008 - - 426

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

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

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

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

Adopted by the following vote:

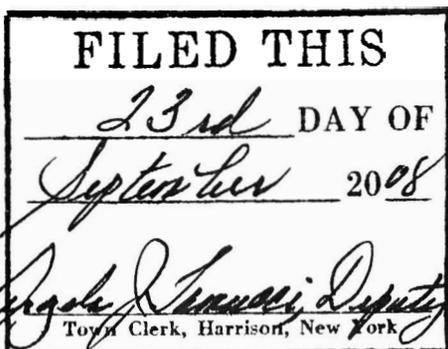
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 -- 427 -- a

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR MANHATTANVILLE COLLEGE
TO HOST A FIREWORKS DISPLAY ON SATURDAY, SEPTEMBER 29, 2008

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Joseph Hinchey of Manhattanville College that the College be granted a Special Events Permit to host a fireworks display as par of the Alumni Weekend event on Saturday, September 29, 2008. There will be no rain date.

FURTHER RESOLVED that the fee be waived.

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

Adopted by the following vote:

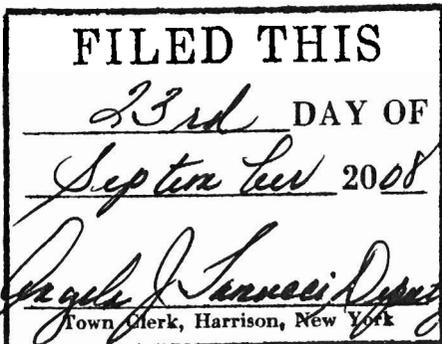
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 -- 427 -- b

AUTHORIZATION FOR MANHATTANVILLE TO USE
THE RECREATION DEPARTMENT'S SOUND STAGE
FOR A CAMPUS EVENT ON SEPTEMBER 12, 2008

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Manhattanville College President Richard Berman for authorization for the use of the Recreation Department's Sound Stage for a campus event the weekend of September 12, 2008.

FURTHER RESOLVED that the stage will be delivered to the campus on Friday, September 12, 2008 and picked up on Monday, September 15, 2008. There will be no rain date.

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

Adopted by the following vote:

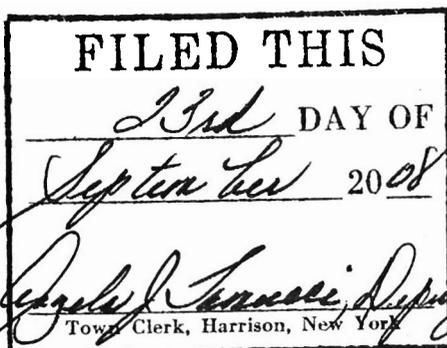
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 428

AUTHORIZATION FOR THE APPORTIONMENT OF ASSESSED VALUATION OF
LOTS 30(Po32&35) AND 35(Po1), BLOCK 232 ON THE 2007 AND 2008
ASSESSMENT ROLLS (TAXES OF 2008 AND 2009)

Mr. & Mrs. Gordon Hochberg has sold a portion of their property to the adjoining owner, Ms. Bridget Clune by deed dated July 30, 2007. The property conveyed to Ms. Clune contains 4001 square feet or 0.0918 acres and the remaining two parcels comply with current zoning regulations in that district. On August 3, 2007, Ms. Clune sold Lot 35 (Po1&30) to Mr. George C. Fekete, however, the deed was not recorded until July 10, 2008 and the surveys were not received until June of this year.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Assessor James Calandruccio for authorization for the apportionment of assessed valuation of Lots 30(Po32&35) and 35(Po1), Block 232 on the 2007 and 2008 Assessment Rolls (Taxes of 2008 and 2009).

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

Adopted by the following vote:

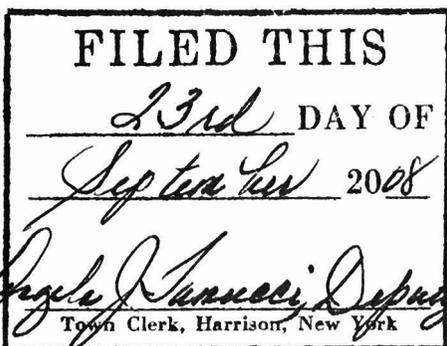
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- Assessor
- Benefits
- Bldg
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- Purch'g
- Recr'tn
- Supvs'r



September 4, 2008

2008 - - 429

AUTHORIZATION FOR THE APPORTIONMENT OF ASSESSED VALUATION OF
LOTS 26 AND 27, BLOCK 644 ON THE 2007 AND 2008 ASSESSMENT ROLLS
(TAXES OF 2008 AND 2009)

The Mews at Purchase LLC would like to have the aforementioned two (2) apportioned parcels into four (4) parcels in accordance with the attached subdivision map entitled "Subdivision Map of "The Mews at Anderson Hill Road" situated at Purchase, Town of Harrison, Westchester County, New York", which was properly approved and filed in the Office of the County Clerk of Westchester County on April 18, 2008 as Map No. 28128.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Assessor James Calandruccio for authorization for the apportionment of assessed valuation of Lots 26 and 27, Block 644 on the 2007 and 2008 Assessment Rolls (Taxes of 2008 and 2009).

1. Lot 1 containing 1.10 Acres, will hereafter be known as Lot 26(Po26), Block 644.
2. Lot 2 containing 2.34 Acres, will hereafter be known as Lot 27(Po27), Block 644.
3. Lot 3 containing 1.92 Acres, will hereafter be known as Lot 39(Po26&27), Block 644.
4. Lot 4 containing 2.02 Acres, will hereafter be known as Lot 40(Po26&27), Block 644.

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

Adopted by the following vote:

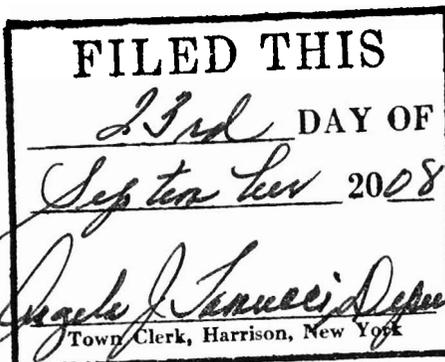
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- Assessor
- Benefits
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- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r
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September 4, 2008

2008 - - 430

AUTHORIZATION TO INCREASE THE LAW DEPARTMENT'S BUDGET FOR
THE SUPPLEMENTATION AND PUBLICATION OF LOCAL LAWS ENACTED IN 2008.

AMOUNT: \$2,520

The Law Department has already exceeded the \$2,000 amount budgeted for the supplementation and publication of local laws that were enacted in 2008. The General Code Company advised the Law Department that the cost for the first five (5) local laws could be \$2,520 and there will be several more local laws to process this year.

Comptroller Maureen MacKenzie stated that more funds were going to be needed since there will be more local laws. Ms. Mackenzie asked if they would like to budget \$4,000 instead of the \$2,520.

Town Attorney Frank Allegretti replied No, we should not exceed the amount of local laws already in place by the end of the year.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Town Attorney for authorization to increase the budgeted amount of \$2,520 for supplementation and publication of local laws that were enacted in 2008.

FURTHER RESOLVED that funding is to be taken from account #001-1420-100-0407 and placed into account #001-1900-100-4488.

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

Adopted by the following vote:

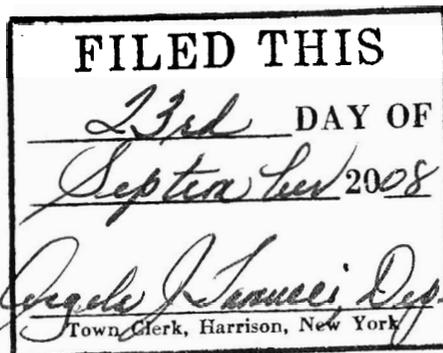
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetero
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 431

AUTHORIZATION FOR A SEWER EASEMENT FROM
WINFIELD AVENUE TO WEST STREET

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Town Engineer Robert Wasp for authorization for the Law Department to approve the easement agreement related to the proposed public sanitary sewer extension from Winfield Avenue to West Street, across private property.

FURTHER RESOLVED that this sanitary sewer extension will provide sanitary sewer availability to the unsewered areas along West Street.

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

Adopted by the following vote:

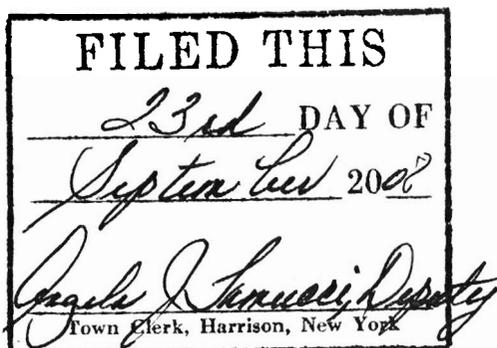
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 432

TABLED: REQUEST BY CHIEF OF POLICE DAVE HALL FOR APPROVAL TO IMPLEMENT A POLICY THAT BEFORE A ROAD OPENING PERMIT IS GRANTED, THE POLICE DEPARTMENT WOULD REVIEW THE DPW AND/OR BUILDING DEPARTMENT'S PERMIT APPLICATION TO SEE IF THE SIRE LOCATION NECESSITATES A POLICE OFFICER FOR TRAFFIC OR SAFETY.

Supervisor Walsh asked if Robert Wasp, Commissioner of Public Works and/or Dave Hall, Chief of Police would like to make any comments.

Commissioner of Public Works Robert Wasp began by saying that we have a procedure and he recognizes what the Chief is saying clearly on the larger projects, they issue about four hundred permits, everything from minor curb cuts to a major project. 98 to 99 percent of those usually don't have a police officer. They do work with the police department if the Chief is proposing a mandatory procedure for review. Mr. Wasp does not think it's necessary in most cases, but he is willing to do anything to work a better procedure with the police department on this.

Supervisor Walsh asked the Chief of Police Dave Hall if there could be restrictions so it's the major problems.

Chief Hall replied Yes. He was not interested in curb cuts but when a road is opened, it should go to the police department so they could recommend a police officer is needed for traffic reasons.

Councilman Scappaticci stated that it's not the Lake Street downtown, up Lake Street the Water Department is working there, the County has been there and the people are having a hard time.

The problem seems to be the flag guys are not vigilant enough to handle these things.

Councilman Vetere replied that the contractor is responsible for itself, even Con Ed and the Water Department are responsible for flag people, and they do a good job. Mr. Vetere is opposed to what Chief Hall wants to do. He doesn't think the police department are qualified to determine whether or not a flag man, and the 400 hundred applications before the Board, he believes the contractor's do a good job. When it necessitates a police officer, the Contractor will have one there.

Chief Hall stated that that was not true. The contractor wants to save money.

Mr. Scappaticci stated that he drives on Lake Street everyday and he was concerned because flagmen were not looking in any particular direction. In one case they had Slow facing one southbound and one northbound, when there was only one lane of traffic. So there were people coming at each other.

Commissioner Wasp explained the way they operate is when they're in a business district on some of the main thoroughfares, its pretty clear that the contractor may not have the full capability, we tell them to get a police officer there or if circumstances come up in an emergency DPW have there own men flagging when they are doing work. In the case of test pits, police aren't necessary. Mr. Wasp continued that there was an episode on a major streetscape project with so much disruption we needed more police presence.

Councilman Sciliano asked the Chief if there was already a law saying we needed a cop or was it on a road closure.

Supervisor Walsh responded to table this matter until the meeting of September 18th and they will define when it is necessary to refer to the police department, obviously sewer openings is not one of them. Town Attorney Frank Allegetti will help to clarify the language.

On motion of Councilman Vetere, seconded by Supervisor Walsh,

Fire Marshal Surace requested to speak at this time. He stated that Dave and Tom are 100 percent right.

Fire Marshal Steve Surace asked to speak. He thought the law stated the entire road could not be closed. About a month and a half ago there was a road opening on the corner of Columbus Avenue and Hancock. It had noting to do with the Streetscape or anything else. A private contractor closed the entire road.

Councilman Vetere interrupted and asked if the police department had been notified.

Mr. Surace you can close half the road at a time. The contractor decided to close the entire road without notify the Fire Department or the Police Department, the Fire Department they came down to a call, they could not go down that street, this needs to be done. It should be in the Contractor's contract, or their fees, for the permits they pay for when necessary a police officer. But at a minimum the Fire Department and the Police Department should be notified when you open anything on any roads in our Town.

Supervisor Walsh explained that we can incorporate that in this but this is too vague as it stands, because of the minor things we don't have to do that. Curb cuts, we don't have to do it.

Mr. Surace went on to say that what the Highway Department thinks as minor, they don't understand what it takes to get a Ladder truck around the streets in West Harrison or downtown. If you open up a small piece of the road and we don't know about it and the Chief doesn't know about it we have a problem.

Mrs. Walsh stated the idea of having a policeman there has noting to do with notifying. She said to lets make this more precise.

Mr. Surace stated you need to contact the contractor's, we need to review this, because of the traffic flow and how we get to areas of our town.

Mr. Vetere asked Mr. Straface where was the policeman that was on duty, he traveled that road probably all day long. Why didn't he question the contractor?

Mr. Surace replied that he did. The officer made the contractor open the road.

Commissioner Wasp there are some truths here and others are distortions. This is what it is, we issue permits, send copies to the police department and if we need to be a little more proactive on that, especially on some of these larger projects, we'll initiate that, no matter what the Board decides.

Supervisor Walsh stated that this would be tabled until the next meeting and get clarification on it.

Councilman Cannella asked that Chief Hall and Commissioner Wasp get together for clarification.

Councilman Sciliano stated that the police and Fire should get together for clarification.

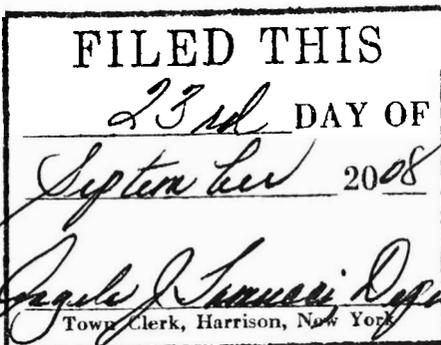
Town Attorney Frank Allegretti was asked to clarify the language.

Lucille Held asked if at the next meeting there could be clarification as to how one is selected for "It's Great to Live in Harrison". Who does it, how it's done and how the people are chosen, if they represent different areas in the Town of Harrison.

Supervisor Walsh replied that she would ask Mr. Belmont to address that before the next Town Board meeting.

Copies to:

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



September 4, 2008

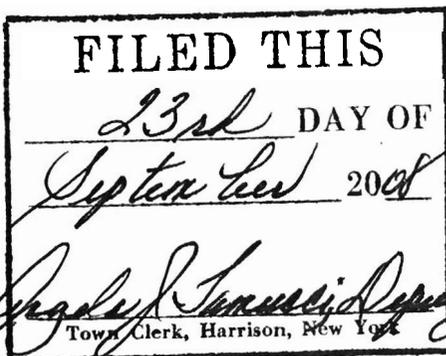
2008 - - 433

WITHDRAWN: REQUEST BY CHIEF OF POLICE DAVE HALL TO RETAIN THE
SERVICES OF MR. JAMES McCABE, ASSISTANT PROFESSOR OF CRIMINAL JUSTICE
AT SACRED HEART UNIVERSITY, FOR THE PURPOSE OF POLICE SENSITIVITY
TRAINING. FUNDING SOURCE TO BE DETERMINED

The matter was withdrawn and will be heard at the September 18th Town Board Meeting.

Copies to:

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



September 4, 2008

2008 - - 434

AUTHORIZATION FOR SUPERVISOR JOAN B. WALSH TO EXECUTE
THE PILOT PROGRAM AGREEMENT BETWEEN
THE TOWN OF HARRISON AND NOKIA CORPORATION

The Agreement was approved at the August 7th Town Board Meeting.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Supervisor to execute the Pilot Program Agreement between the Town of Harrison and the NOKIA Corporation.

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
-

FILED THIS
23rd DAY OF
September 2008
Joseph J. Traversi
 Town Clerk, Harrison, New York

September 4, 2008

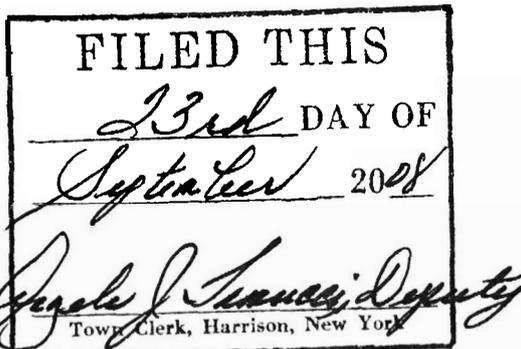
2008 - - 435

ADJOURNED: REQUEST BY TOWN ATTORNEY FRANK ALLEGRETTI FOR FUNDS
FOR OUTSIDE COUNSEL. AMOUNT \$100,000.

The matter was adjourned to executive session.

Copies to:

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



September 4, 2008

2008 -- 436

MATTERS FOR EXECUTIVE SESSION:

Personnel	9
Acquisition of property	3
Advice of counsel	3
Settlement of claims	3
Tax certiorari	1
Collective bargaining	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for
Executive Session at 9:45 PM

On motion duly made and seconded,
with all members voting in favor,
the Meeting was re-convened at
12:30 AM on September 5, 2008.

Copies to:

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

FILED THIS

23rd DAY OF

September 2008

Angela J. Traversi, Deputy
Town Clerk, Harrison, New York

September 4, 2008

2008 - - 437

PROMOTION OF GARY SHAW TO THE POSITION OF
GENERAL FOREMAN IN THE EQUIPMENT MAINTENANCE DIVISION OF THE DPW.

On motion of Councilman Sciliano, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the promotion of Gary Shaw from Senior Auto Mechanic to the position of General Foreman in the Equipment Maintenance Division of the DPW, at an annual salary of \$94,952, effective Friday, September 5, 2008.

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

Adopted by the following vote:

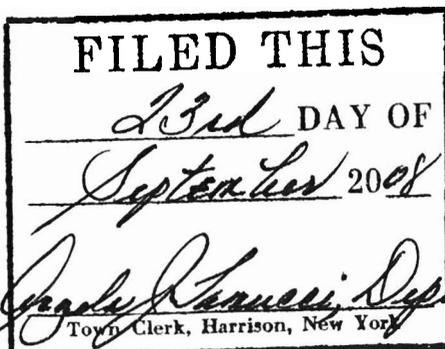
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 438

PROMOTION OF JOHN BONISTALL TO THE POSITION OF
OFFICE ASSISTANT FINANCIAL SUPPORT, GRADE VII, STEP 2

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the promotion of John Bonistall, in the Comptrollers office, from Intermediate Accounting Clerk to the position of Office Assistant-Financial Support, Grade VII, Step 2, at an annual salary of \$50,288, effective upon Westchester County Civil Service procedure. Mr. Bonistall passed the County CSEA exam.

FURTHER RESOLVED that funding is available in the Comptroller's budget lines as follows:

- Special Service #001-1315-100.04-07 \$ 500.
- Overtime #001-1315-100.01-20 \$ 1,500.
- Office Supplies #001-1315-100.04-03 \$ 500.
- Travel & Conference #001-1315-100.04-06 \$ 500.

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

Adopted by the following vote:

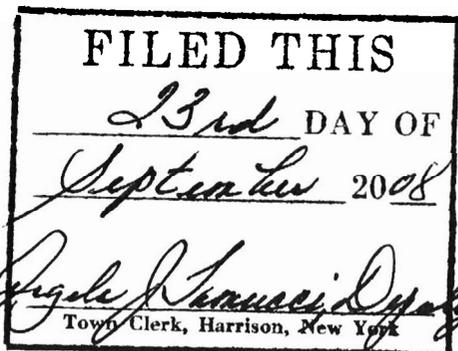
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
 Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 439

PROMOTION OF DEBRA LEONE TO THE POSITION OF SENIOR PAYROLL CLERK,
GRADE IX, STEP 3

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the promotion of Debra Leone, in the Comptrollers office, from Payroll Clerk to the position of Senior Payroll Clerk, Grade IX, Step 3, at an annual salary of \$63,139, effective upon Westchester County Civil Service procedure. Mrs. Leone passed the County CSEA exam.

FURTHER RESOLVED that funding is available in the Comptroller's budget lines as follows:

- Special Service #001-1315-100.04-07 \$ 500.
- Overtime #001-1315-100.01-20 \$ 1,500.
- Office Supplies #001-1315-100.04-03 \$ 500.
- Travel & Conference #001-1315-100.04-06 \$ 500.

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

Adopted by the following vote:

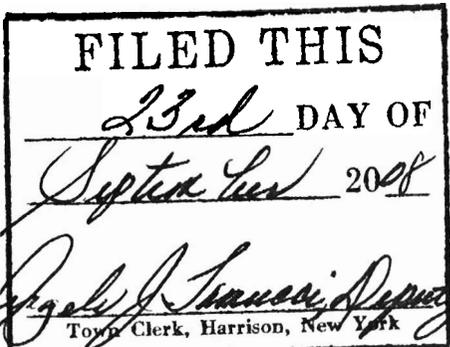
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
 Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 440

APPROVAL FOR THE RE-STATEMENT OF MICHAEL FAULKENSTERN

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to re-instate Michael Faulkenstern to the position of Road Maintainer in the Highway Division of the DPW, effective October 1, 2008, at the annual salary of \$62,034.

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

Adopted by the following vote:

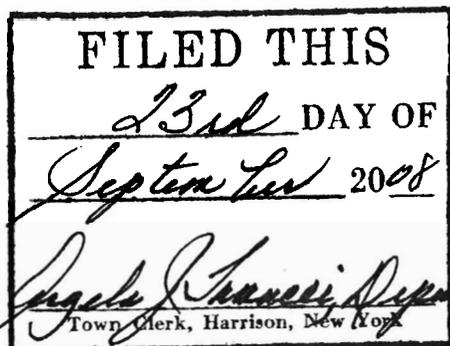
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- Assessor
- Benefits
- Bldg
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- Purch'g
- Recr'tn
- Supvs'r



September 4, 2008

2008 - - 441

APPOINTMENT OF SEAN McADAM TO THE POSITION OF
COORDINATOR OF COMPUTER SERVICES AT
THE HARRISON POLICE DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the appointment of Sean McAdam to the position Coordinator of Computer Services, at the Harrison Police Department, Grade X, Step 3, at the annual salary of \$68,771, effective September 5, 2008.

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

Adopted by the following vote:

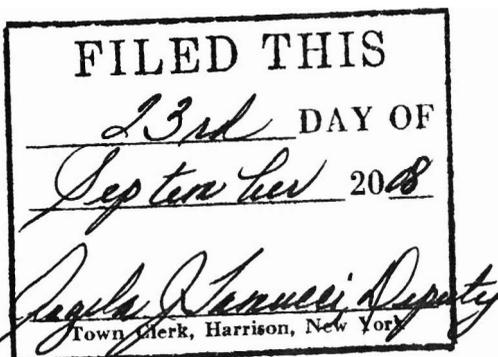
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 442

AUTHORIZATION TO CREATE THE POSITION OF
ASSISTANT FIRE INSPECTOR/ASSISTANT FIRE MARSHALL

On motion of Councilman Sciliano, seconded by Councilman Cannella,

it was

RESOLVED to create the position of Assistant Fire Inspector/Assistant Fire Marshal. The position needs to be in the CSEA Collective Bargaining Agreement at a Grade X.

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

Adopted by the following vote:

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

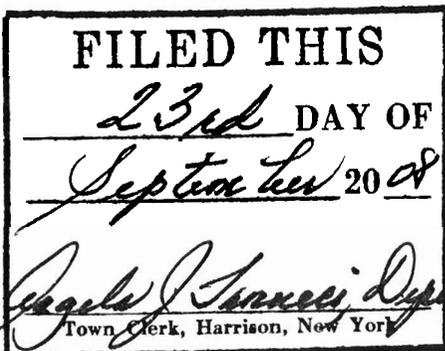
NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 -- 443 -- a

SETTLEMENT OF CERTIORARI: WESTCHESTER ROCKLAND NEWSPAPERS
(GANNETT JOURNAL NEWS), BLOCK 631, LOT 12

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to settle the Certiorari brought by the Westchester Rockland Newspapers, Inc.,
(Gannett Journal News), 1 Gannett Drive, Block 631, Lot 12 as follows:

<u>YEAR</u>	<u>ORIGINAL ASSESSED VALUATION</u>	<u>PROPOSED ASSESSED VALUATION</u>	<u>REDUCTION</u>
2002-2003	\$937,000	\$711,419	\$225,581
2003-2004	\$937,000	\$723,114	\$213,886
2004-2005	\$937,000	\$653,351	\$283,649
2005-2006	\$937,000	\$661,600	\$275,400
2006-2007	\$937,000	\$664,385	\$272,615
2007-2008	\$937,000	\$669,471	\$267,529

FURTHER RESOLVED that a Bond is to be used as the funding source.

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

Adopted by the following vote:

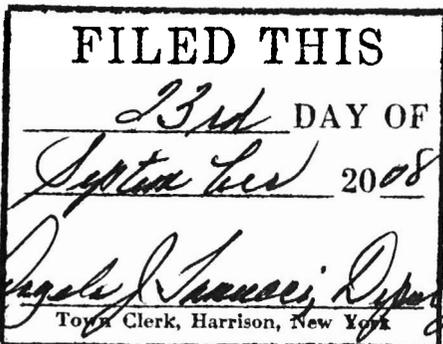
AYES: Councilmen Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: Councilman Scappaticci

ABSENT: None

Copies to:

- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
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- Purch'g
- Recr'tn
- Supvs'r



September 4, 2008

2008 -- 443 -- b

APPROVAL TO BOND THE COST FOR THE TAX CERTIORARI, WESTCHESTER
ROCKLAND NEWSPAPERS (GANNETT JOURNAL NEWS), BLOCK 631, LOT 12

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to Bond the tax certiorari, Block 631, Lot 12, Westchester Rockland Newspapers,
(Gannett Journal News).

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

Adopted by the following vote:

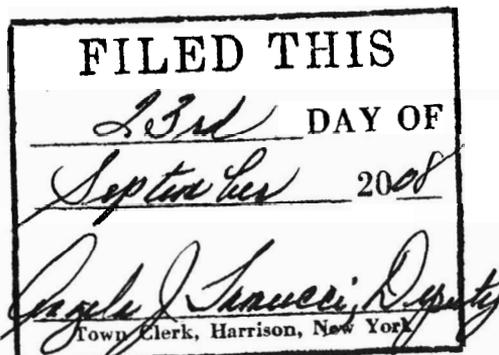
AYES: Councilmen Cannella, Vetere and Sciliano
Supervisor Walsh

NAYS: Councilman Scappaticci

ABSENT: None

Copies to:

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 Recr'tn
 Supvs'r



September 4, 2008

2008 - - 444

AUTHORIZATION TO INCREASE LEGAL FEES RE: LITIGATION MATTERS
TO \$125,000

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to increase legal fees re: litigation matters to \$125,000.

FURTHER RESOLVED that funding is to come from Surplus and put into account #001-1900-100-44-31.

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

Adopted by the following vote:

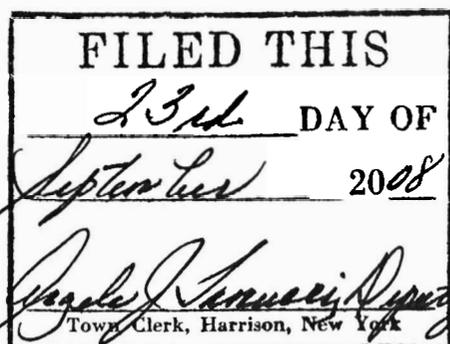
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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September 4, 2008

2008 - - 445

SETTLEMENT OF CLAIM: STATE FARM INSURANCE CO.,
a.s.o. THOMAS BRODERICK vs TOWN OF HARRISON
FOR AUTOMOBILE DAMAGE, IN THE AMOUNT OF \$5,251.40

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of State Farm Insurance Co, a.s.o. Thomas Broderick vs the Town of Harrison, for automobile damage, in the amount of \$5,251.40.

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:

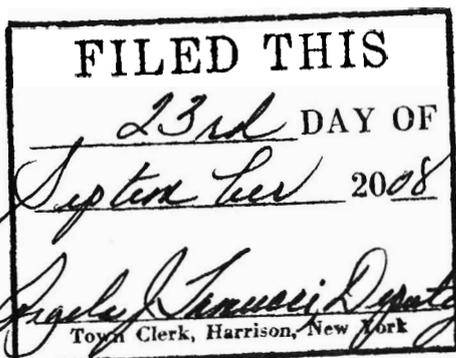
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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-



September 4, 2008

2008 - - 446

SETTLEMENT OF CLAIM: GELBSTEIN vs TOWN OF HARRISON
FOR PROPERTY DAMAGE, IN THE AMOUNT OF \$402.21

On motion of Councilman Vetere, seconded by Councilman Sciliano,

it was

RESOLVED to settle the claim of Gelbstein vs the Town of Harrison for property damage, in the amount of \$402.21.

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:

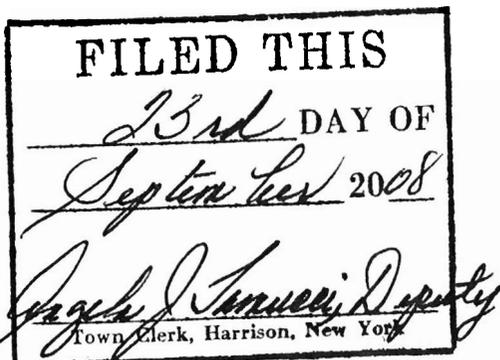
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



September 4, 2008

2008 - - 447

SETTLEMENT OF CLAIM: MARRACCINI vs TOWN OF HARRISON
FOR AUTOMOBILE DAMAGE, IN THE AMOUNT OF \$856.38

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to settle the claim of Marraccini vs the Town of Harrison for automobile damage, in the amount of \$856.38.

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, Vetere, Scappaticci and Sciliano
Supervisor Walsh

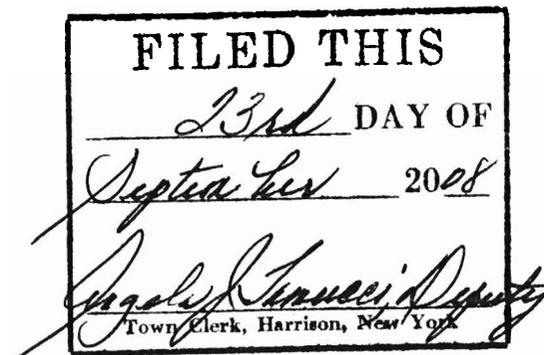
NAYS: None

ABSENT: None

There being no further matters to come before this Board, the Meeting was, on motion duly made and seconded, with all members voting in favor, declared closed at 12:45 AM, September 5, 2008.

Respectfully submitted,

Angela J. Tamucci
Deputy Town Clerk



Copies to:

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- Recr'tn
- Supvs'r
-