

November 18, 2009

A regular Meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 18th day of November at 7:30 PM, Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh . . . . . Supervisor

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

MEMBERS ABSENT:

Patrick Vetere ..... Councilman

ALSO ATTENDING:

Frank Allegretti ..... Town Attorney  
Fred Castiglia ..... Deputy Town Attorney  
Robert Paladino..... Village Attorney  
Jonathan Kraut ..... Deputy Village Attorney  
Maureen MacKenzie ..... Comptroller  
Judy D'Agostinis ..... Director of Purchasing  
Robert Wasp .....Commissioner of Public Works

Copies to:

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

**FILED THIS**  
*27th* DAY OF  
*November* 20*09*  
*Joseph J. Scappaticci, Deputy*  
 Town Clerk, Harrison, New York

November 18, 2009

2009 - - 433

STATEMENTS BY SUPERVISOR JOAN B. WALSH

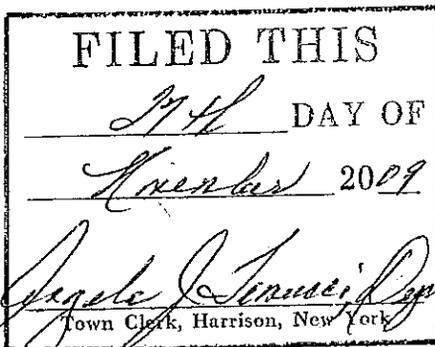
Supervisor Walsh explained that Councilman Vetere has been ill and came home from the hospital today, the problem was with his medications.

Supervisor Walsh welcomed Marlene Amelio, the newly elected Councilwoman as of January 1, 2010.

Supervisor Walsh wished Robert Paladino and Robert Wasp a Happy Birthday.

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- Supvs'r
- 



November 18, 2009

2009 - - 434

ACCEPTANCE OF THE CORRESPONDENCE AND REPORTS:

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence and reports:

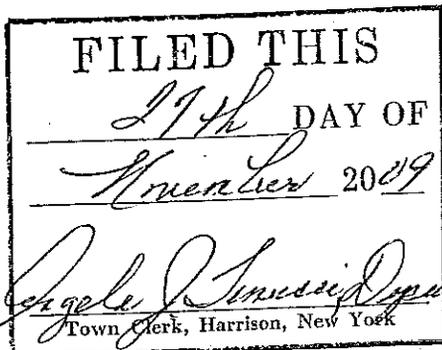
- 1a. Monthly report by the Town Clerk for October 2009.
  - 1b. Monthly report by the Building Inspector for October 2009.
  - 1c. Monthly report by the Receiver of Taxes for October 2009.
  - 1d. Monthly report by the Building Inspector for Fire Prevention for October 2009.
  - 1e. Monthly report by the Superintendent of Recreation for October 2009.
  - 1f. Monthly report by the Commissioner of Public Works for October 2009.
2. Notification by Village of Mamaroneck Janet M. Insardi that a Public Hearing will be held on November 23, 2009 at 7:30 pm, for a proposed Local Law, RE: Proposed Amendment to §342-79 of the Zoning Code (Planning Board action) that the Planning Board shall review the site development plan and act on the application with 62 days from and after the time of submission of the complete application.

Adopted by the following vote:

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

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- P. Wrks
- Purch'g
- Reer'tn
- Supvs'r
- 



November 18, 2009

2009 - - 435

APPROVAL FOR THE ADDITION TO THE RECREATION  
PART TIME AVAILABILITY LIST

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Superintendent of Recreation Ron Belmont for authorization for the addition to the Recreation Part Time Availability List:

NAME

HOURLY RATE

Jake Petrucci

\$6.75

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

Adopted by the following vote:

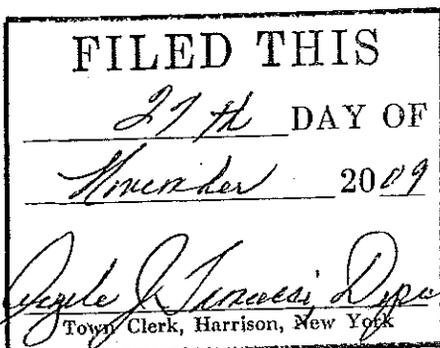
AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: Councilman Vetere

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



November 18, 2009

2009 - - 436

APPROVAL TO TRANSFER \$3,200 FROM THE POLICE DEPARTMENT  
TRAFFIC BUDGET TO THE POLICE DEPARTMENT PART TIME SALARY LINE  
OF THE TRAFFIC DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Chief of Police Dave Hall for authorization to transfer \$3,200 from the Traffic Budget #3310.47 to the Traffic Part Time Salary line to cover the salary of Paul Marcone until the end of the year.

FURTHER RESOLVED that Mr. Marcone will be assisting Jim Monteiro who is working on modified light duty.

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:

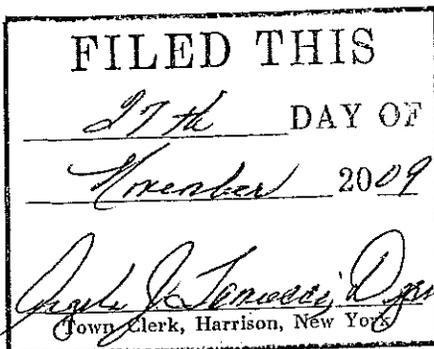
AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: Councilman Vetere

Copies to:

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



November 18, 2009

2009 - - 437

APPROVAL FOR THE APPORTIONMENT OF ASSESSED VALUATION OF  
LOT 12, BLOCK 1014, ON THE 2009 ASSESSMENT ROLL (TAXES)

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Assessor James Calandruccio for authorization for the apportionment of assessed valuation of Lot 12, Block 1014 on the 2009 Assessment Roll (Taxes of 2010.) This apportionment is necessary so that the respective owners will be properly identified on the tax assessment roll. The Town of Harrison has conveyed ownership of the two (2) existing water tanks to Westchester Joint Water Works, along with a ninety nine (99) year lease, at \$1 per year, for the property under the tanks.

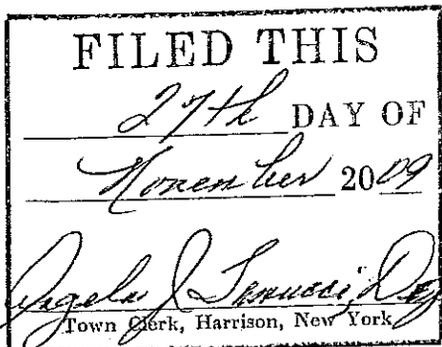
FURTHER RESOLVED to forward a copy of this Resolution to the Assessor and the Receiver of Taxes.

Adopted by the following vote:

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

Copies to:

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



November 18, 2009

2009 - - 438

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR ST. VINCENT'S HOSPITAL  
"SPRING SPRINT 5K RUN/WALK"

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Meg Sutton, Director of Development of St. Vincent's Hospital Westchester for a Special Event Permit for St. Vincent's Hospital "Spring Sprint 5K Run/Walk event on Saturday, May 8, 2010. The Event will start and finish at St. Vincent's Hospital, 275 North St, Harrison, NY with the route as follows:

North Street, right at Park Dr. S, right at Manhattan Ave,  
left at Park Dr. S, return to Hospital.

FURTHER RESOLVED that all Insurance documents be forwarded to the Law Department.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Chief of Police and the Harrison EMS.

Adopted by the following vote:

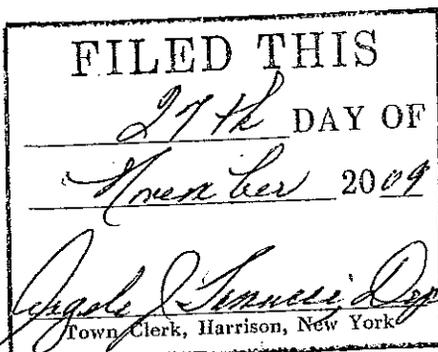
AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: Councilman Vetere

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



November 18, 2009

2009 - - 439

AUTHORIZATION FOR A REDUCTION OF A PERFORMANCE BOND  
RE: SAROSCA FARMESTATES

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Attorney Albert Pirro on behalf of his client Sarosca Farm Estates, LLC, for authorization for a reduction of their Performance Bond from \$2,500,000 to \$925,000.

FURTHER RESOLVED that Planning Board approval was granted on September 22, 2009

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

Adopted by the following vote:

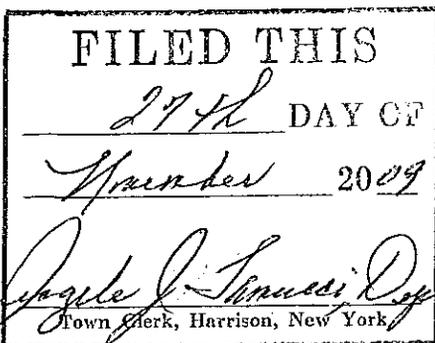
AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: Councilman Vetere

Copies to:

- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supvs'x
- Chair of the Planning Board*



November 18, 2009

2009 - - 440

APPROVAL TO SET THE DATE OF DECEMBER 3, 2009 FOR  
A PUBLIC HEARING RE: THE 2010 PRELIMINARY BUDGET  
FOR THE TOWN OF HARRISON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to set the date of December 3, 2009 for a Public Hearing RE: the  
2010 Preliminary Budget for the Town of Harrison.

FURTHER RESOLVED to forward a copy of this Resolution to the Supervisor, the Comptroller  
and Department Heads.

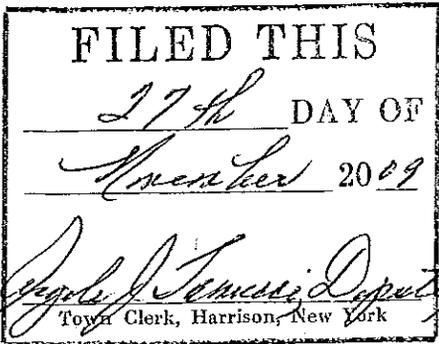
Adopted by the following vote:

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

Copies to:

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

*All Department Heads*



November 18, 2009

2009 - - 441

APPROVAL TO SET THE DATE OF JANUARY 7, 2010 FOR A PUBLIC HEARING RE:  
THE PROPOSED AMENDMENT SECTION 235-76.C.  
OF THE TOWN OF HARRISON CODE.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Attorney Linda Whitehead, with the law firm of McCullough, Goldberger & Staudt, on behalf of her clients JRA Properties, LLC and Briga Enterprises, Inc., for authorization to set the date of January 7, 2010 for a Public Hearing RE: the proposed amendment to Section 235-76.C. of the Town of Harrison Code as follows: The Town Board shall not take any action on any such proposed amendment without the recommendation by the Planning Board, unless the Planning Board fails to render its recommendation within sixty (60) days after the date of its referral.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys and the Chair of the Planning Board.

Adopted by the following vote:

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

Copies to:

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

*Chair of the Planning Board*

FILED THIS  
*27th* DAY OF  
*November* 20*09*  
*Angela J. Sinusci Deputy*  
 Town Clerk, Harrison, New York

November 18, 2009

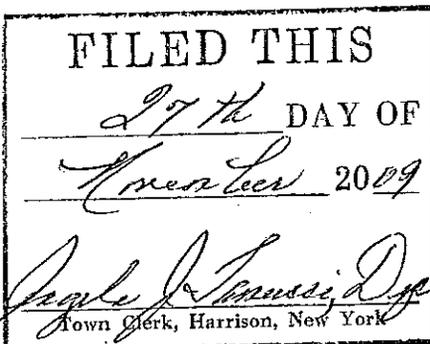
2009 -- 442

TABLED: REQUEST BY RESIDENT NATALIE MOSCOW FOR  
THE TOWN BOARD TO ADOPT A LOCAL LAW AGAINST TETHERING  
FOR ANY GREAT LENGTH OF TIME

The matter was tabled until the December 3, 2009 Meeting. Any resident wishing to comment could contact the Mayor's office.

Copies to:

- Assessor
- Benefits
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- Recr'tn
- Supvs'r
- 



November 18, 2009

2009 - - 443

APPROVAL TO TRANSFER THE WATER RENT ARREARS FROM WJWW  
TO THE 2010 TAX ROLL IN THE AMOUNT OF \$54,650.32 TO  
THE 2010 TAX ROLL AND TO THE 2010 TOWN/VILLAGE TAX BILLS

Supervisor Joan Walsh explained that in addition to being Mayor, she is also a Trustee of the Westchester Joint Water Works, meeting every 2 weeks. She stated as follows: In the past there was no systematic effort to remind people to pay bills. You were sent a bill four times a year with the Water Works sometimes sending notices and sometimes not. The two other Trustees and Mrs. Walsh instituted a policy that everybody would be billed and re-billed. People are responding, but the bill comes quarterly, and not everyone remembers it so Supervisor Walsh has sent letters herself to people in town. In some instances we're talking \$200-300, other bills we're talking about is \$1,800 and over \$2,200. That puts the WW in a bind and it puts the town in a bind because the town has to pay your water bills. That affects the rate you pay per galloon for water. Harrison is 74% paid up. The legal process is the bills that have not been paid as of a certain date are at that time transferred and made a lien against your property. That amount will be on your next tax bill. There is a very diligent effort on the part of Mrs. Walsh and the WJWW to collect this money.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Receiver of Taxes Nancy Masi for authorization for the transfer of the water rent arrears from WJWW in the amount of \$54650.32 to the 2010 Tax Roll and to the 2010 Town/Village Tax bills of the corresponding properties:



Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: Councilman Vetere

Copies to:

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

**FILED THIS**  
*27<sup>th</sup>* DAY OF  
*November* 20*09*  
*Joseph J. Tomasi, Deputy*  
Town Clerk, Harrison, New York

*Receiver of Taxes*

November 18, 2009

2009 -- 444

APPROVAL TO ACCEPT DONATIONS FOR  
THE "EMILIO SCATENATO" PLAQUE  
IN THE AMOUNT OF \$850

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization to accept donations for the "Emilio Scatenato" plaque, in the amount of \$850.

FURTHER RESOLVED that the donations be placed in account #009-616.

FURTHER RESOLVED that to date the donations total \$2,050.

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

Adopted by the following vote:

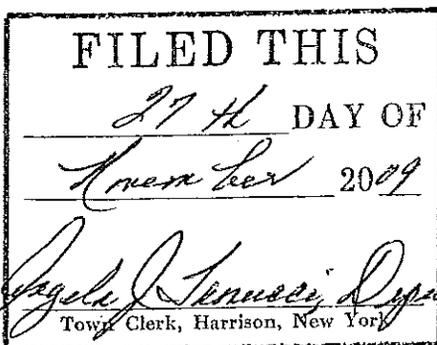
AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: Councilman Vetere

Copies to:

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



November 18, 2009

2009 - - 445

APPROVAL TO ACCEPT DONATIONS FOR THE DOG PARK PROJECT  
IN THE AMOUNT OF \$525

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization to accept donations for the Dog Park project, in the amount of \$525.

FURTHER RESOLVED that the donations be placed in account #009-615.

FURTHER RESOLVED that to date the donations total \$4,456.

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: None
- ABSENT: Councilman Vetere

Copies to:

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

**FILED THIS**  
*27th* DAY OF  
*December* 2009  
*Regina J. Sannici Deputy*  
 Town Clerk, Harrison, New York

November 18, 2009

2009 - - 446

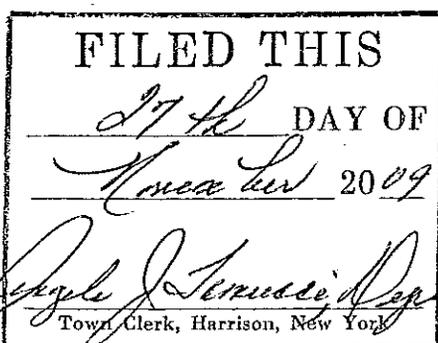
ADJOURNED: NOTIFICATION BY ALAN BONISTALL OF ALAN BONISTALL  
ELECTRICAL CONTRACTING, INC. OF THE DONATION OF \$25,000  
FOR THE DOG PARK PROJECT.

Commissioner of Public Works Robert Wasp spoke and handed out the layout of the dog park. The Engineering Department went to the site and took some field measurements. Mr. Wasp met with Alan Bonistall who presented a plan whereby the funding for this project could be undertaken with the bare bone essentials for the park. The park will have a stone pebble type of base, and the fence would not be a regular chain link fence. Mr. Bonistall has gotten a group of people to participate in this funding and Mr. Acocella has been to the office and showed a beautiful landscaping.

After much discussion with Lucille Held, Robert, Anja and Kirsten Porto of 1 Allen Place and with Gloria LaRusso of 11 Allen Place, against the Dog Park being across from their homes, it was agreed to adjourn the meeting until the December 3, 2009 Meeting, with Mr. Wasp looking at the park area on the top of Veterans Park.

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



November 18, 2009

2009 - - 447

APPROVAL FOR THE PAYMENT, IN THE AMOUNT OF \$3,000, FOR THE 2009 WESTCHESTER BRASSMEN PERFORMANCE CONCERT FOR THREE ANNUAL PARADES

Village Attorney Robert Paladino explained that the Brassmen haven't had a contract since 2005. This year (2009) the agreed payment was \$3,000. According to the 2010 contract the Brassmen will be paid \$2,000 for the Memorial Day, Columbus Day and Halloween Parades. Mr. Paladino went on to suggest that the contract with the Westchester Brassmen should be part of the First of the Year Resolutions.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Village Attorney Robert Paladino for authorization for the 2009 contract with the Westchester Brassmen in the amount of \$3,000.

FURTHER RESOLVED that the contract with the Westchester Brassmen be a First of the Year Resolution, beginning 2010, in the amount of \$2,000 per year, playing in the Memorial Day, Columbus Day and Halloween Parades.

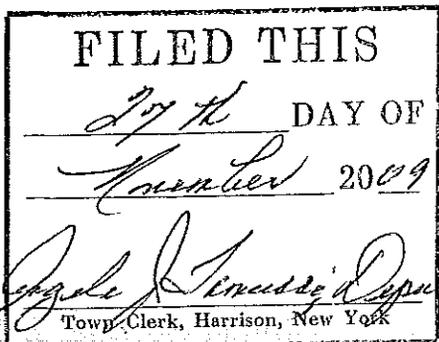
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

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

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- Supvs'r



November 18, 2009

2009 - - 448

APPROVAL TO SELL AT PUBLIC AUCTION A TOWN OWNED BUILDING LOT,  
BLOCK 1032, LOT 3, MINIMUM BID OF \$300,000

Supervisor Walsh explained that the Town owns property on Woodland, off Old Orchard Street, and it is the recommendation of the Real Estate Committee to sell this parcel at public auction, with a minimum bid of \$300,000. There are two neighbors interested in purchasing this property. One of whom owns four (4) lots which they plan to develop. Mrs. Walsh requested to set a date for a public auction.

Councilman Scappaticci pointed out that the minimum bid is listed as \$300,000 but Mrs. Iannacchino, one of the neighbors, is offering \$125,000 only.

Robert Paladino, Village Attorney, stated this is a non-conforming (full) building lot. It was the general consensus of the Real Estate Committee that a good opening bid would be \$300,000 with the expectation that the final price would be substantially higher.

Jonathan Kraut, Deputy Village Attorney, stated that there are no requirements for an offering of real property. The Town Board has to direct the Law Department to set a date for a public auction.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Law Department to set the date for a public auction RE: Town owned property, Block 1032, Lot 3.

FURTHER RESOLVED that the minimum bid be set at \$300,000.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: Councilman Vetere

FILED THIS  
27th DAY OF  
November 2009  
Doreen J. Scavone, Deputy  
Town Clerk, Harrison, New York

Copies to:

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

November 18, 2009

2009 - - 449

APPROVAL FOR THE PROFESSIONAL SERVICES  
CONTRACT WITH PATRICK CLEARY, AICP, PP FOR WORK RELATED  
TO THE RIGHT-OF-WAY ZONING REGULATIONS FOR  
THE JOINT METRO NORTH RAILROAD/TOWN/VILLAGE OF HARRISON TRANSIT  
ORIENTED DEVELOPMENT PROJECT.  
COST: NOT TO EXCEED \$20,000

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request by Acting Town Engineer Robert Wasp for authorization for the professional services contract with Patrick Cleary, AICP, PP, for work related to the preparation of the Right-of-Way Zoning Regulations for the joint Metro North Railroad/Town/Village of Harrison Transit Oriented Development Project, at a cost not to exceed \$20,000.

FURTHER REQUESTED to authorize the Law Department to review the contract and upon review and approval, the Supervisor to execute same.

FURTHER RESOLVED that this contract is funded pursuant to the agreement between the Town/Village of Harrison and Metro North Railroad.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: Councilman Vetere

Copies to:

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

**FILED THIS**  
*27<sup>th</sup>* DAY OF  
*November* 2009  
*Angelo J. Scappaticci*  
 Deputy  
 Town Clerk, Harrison, New York

November 18, 2009

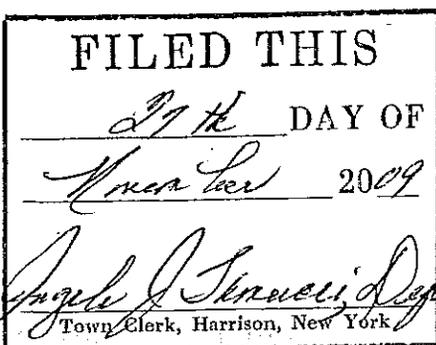
2009 - - 450

COMMENTS BY RESIDENT LUCILLE HELD

Mrs. Held congratulated Supervisor Walsh for becoming Mayor again and offered Mrs. Walsh the crown that Mr. Held put on her head for being the cheapest white woman alive, adding that you (Supervisor Walsh) continue to be the cheapest woman alive and save our pennies so they'll become dollars and we (the Town) can get out of this debt.

Copies to:

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



November 18, 2009

2009 - - 451

MATTERS FOR EXECUTIVE SESSION:

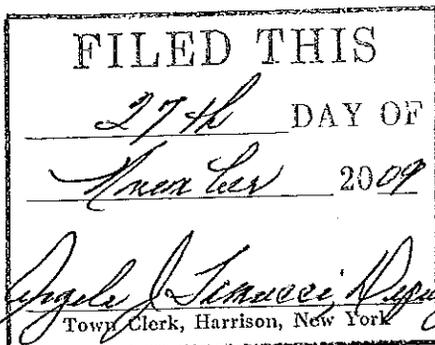
Sale of property	1
Personnel	1
Tax certiorari	1

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was recessed for Executive Session at 8:55 PM.

On motion made and duly seconded,  
with all members voting in favor,  
the Meeting was re-convened at 10:10 PM.

Copies to:

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



November 18, 2009

2009 - - 452

SETTLEMENT OF A CERTIORARI  
VON FORD ASSOCIATES 210 WESTCHESTER AVENUE,  
BLOCK 692, LOT 1 (1-2)

On motion of Councilman Sciliano, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Assessor James Calandruccio for the settlement of the Tax Certiorari RE: Von Ford Associates, 210 Westchester Avenue, Block 692, Lot 1 (1-2), as follows:

<u>YEAR</u>	<u>CURRENT ASSESSMENT</u>	<u>PROPOSED ASSESSMENT</u>	<u>REDUCTION</u>
2007	323,500	250,000	73,500
2008	323,500	250,000	73,500
2009	243,500	220,000	23,500
2010		220,000	

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

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci and Sciliano  
Supervisor Walsh

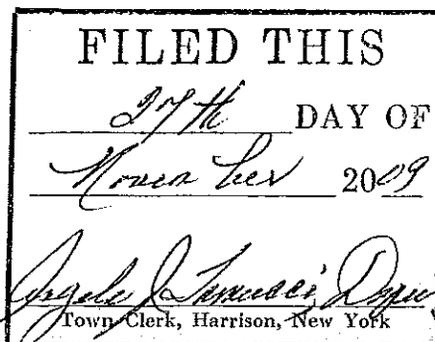
NAYS: None

ABSENT: Councilman Vetere

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was closed at 10:10 PM.

Respectfully submitted,

Angela J. Tamucci  
Deputy Town Clerk



Copies to:

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

*Handwritten signatures and initials at the bottom right of the list, including one that appears to be 'K. Scappaticci'.*