

April 16, 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 16th day of April at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh ..... Supervisor

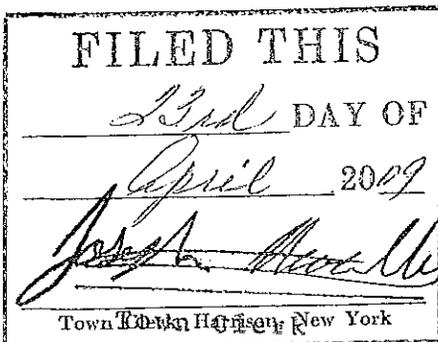
Joseph Cannella        )  
Patrick Vetere            ) ....Councilmen  
Thomas Scappaticci     )  
Fred Sciliano            )

ALSO ATTENDING:

Frank Allegretti ..... Town Attorney  
Fred Castiglia ..... Deputy Town Attorney  
Robert Paladino..... Village Attorney  
Jonathan Kraut ..... Deputy Village Attorney  
David Hall ..... Chief of Police  
Maureen MacKenzie ..... Comptroller  
Robert Wasp ..... Commissioner of Public Works  
Ron Belmont ..... Superintendent of Recreation  
James Calandrucchio ..... Assessor  
Robert FitzSimmons ..... Building Inspector

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April 16, 2009

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PRESENTATION BY KRISTEN CIAFONE: INTRODUCTION OF  
HARRISON WESTCHESTER COUNTY BASKETBALL CHAMPIONS

Recreation Supervisor Kristen Ciafone presented the following residents with awards for becoming the 2009 Westchester County Basketball "Girls Cub Division" Champions:

Coaches: Kevin O'Sullivan, Greg Berger and Peter Cassavecca

Team: Tara Berger, Gianna Cassavecca, Jennifer Howland, Erica LaManna, Zoe Mittman,  
Gabriella Morris, Emily O'Sullivan, Cori Pittiger, Alexis Shannon, Marielle Sheck,  
Tory Tiburzi, Carly Uretta

Mrs. Ciafone went on to present awards to the following residents for becoming the 2009 Westchester County Basketball "Midget Boys Division" Champions:

Coaches: Warren Heller, John Pipitone, Paul Broderick

Team: Michael Amicussi, Timothy Broderick, Cory Calcagni, Charles Credendino,  
Thomas Falciglia, Tyler Hart, Henry Heller, Thomas Lovinger, Joey Maida, Robert Waldman.

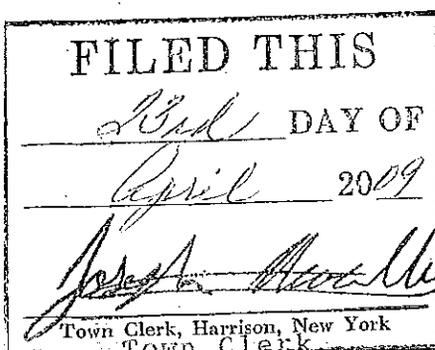
Mrs. Ciafone congratulated all the members.

Supervisor Walsh congratulated all the team members.

Superintendent of Recreation Ron Belmont congratulated all the team members and announced that the 2009 Little League season will begin on Friday April 24<sup>th</sup> with a parade beginning at 6pm. All are invited to attend.

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April 16, 2009

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APPROVAL OF THE CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the following correspondence and reports:

- 1a. Monthly report from the Town Clerk for March 2009.
  - 1b. Monthly report from the Building Inspector for March 2009.
  - 1c. Monthly report from the Fire Marshal for March 2009.
  - 1d. Monthly report from the Receiver of Taxes for March 2009.
  - 1e. Monthly report from the Superintendent of Recreation for March 2009.
2. Notification of a Blood Drive on April 23<sup>rd</sup>, 2009, from 12 noon to 5:30 pm, at the Harrison EMS (police parking lot). Harrison EMS will be hosting a blood drive on Thursday, April 23, 2009.

Supervisor Walsh urged all residents to donate.

Town Clerk Joseph Acocella stated he has been working with Harrison EMS Chief Joe Bilotto to plan this drive. He stated that the drive needs a minimum of 20 blood donors in order for the drive to be successful. Mr. Acocella urged any persons wishing to donate to call his office at 914-670-3030 and reserve a time slot.

- 3. Notification from the Town of Greenwich, Re: Public Hearing of their Board of Appeals, on April 8<sup>th</sup>, 2009, for a Special Exception Approval for a decrease in lot size of Shemin Nurseries, Inc., in a residential zone due to a proposed five (5) lot sub-division, 1081 King Street, Greenwich RA-2 Zone.
- 4. Notification from Barbara Mattice, P.E. with the State of New York Department of Transportation that Landscaping will be conducted on I-287 in the City of White Plains and the Town of Harrison, for a length of 2.9 kilometers.
- 5. Notification by Marek Kozikowski, Planner I of the Town of Greenwich Planning and Zoning – Land Use Department that a Public Hearing will take place on May 12, 2009 RE: Proposed Amendments to the Town of Greenwich Building Zone Regulations (AM 09-0010) Location of Alcoholic Establishments to Exempt Wine and Beer Sales.

Copies to:

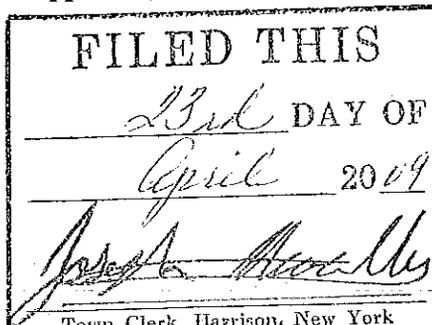
Adopted by the following vote:

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

NAYS: None

ABSENT: None

- \_\_\_ Assessor
- \_\_\_ Benefits
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- ✓ Engng
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Town Clerk, Harrison, New York

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ADJOURNED: PUBLIC HEARING RE: BREA BURN COUNTY CLUB

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

Mark P. Weingarten, partner with the law firm of DelBello Donnellan Weingarten Wise & Weiderkehr, LLP addressed the Board on behalf of Brae Burn Country Club, Inc., for their application for a Special Exception Use Permit for a proposed Clubhouse renovation and addition. Mr. Weingarten stated this project has already been before the Planning Board and has received site plan approval. Mr. Weingarten explained that he and the architects of the project are before the Board this evening to receive confirmation of the Special Exception Use Permit for a project that would consist of a two story addition and the creation of casual dining areas which increase the building by 20,000 square feet.

Jim Rogers, architect with the firm of James G. Roberts Architects addressed the Board on behalf of his clients Brae Burn Country Club. Mr. Rogers presented a copy of the proposed plan to the Board which described the changes to the structure.

Councilman Cannella proposed adjourning this matter until the May 21<sup>st</sup> Town Board meeting.

Mr. Weingarten questioned the Board if they would require any further information about the project in advance of the May 21<sup>st</sup> meeting.

The Board responded in the negative as to indicate they did not require any further additional information before the continuation of the matter at the May 21<sup>st</sup> Town Board meeting

The Hearing was adjourned until the May 21, 2009 Meeting.

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FILED THIS  
*23rd* DAY OF  
*April* 2009  
*Joseph A. Cannella*  
Town Clerk, Harrison, New York  
Town Clerk

April 16, 2009

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ACCEPTANCE OF THE RETIREMENT OF K9 BRIXX OF THE HARRISON POLICE DEPARTMENT

Chief of Police David Hall stated he wished to thank Brixx and his handler Sergeant Chris Provenzano for their years of excellent police work which involved finding drugs and one lost child. The Chief went on to state that Brixx will be missed by the department.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to accept the retirement of K9 Brixx, effective June 30, 2009.

FURTHER RESOLVED that K9 Brixx will continue to live with his handler Sgt. Christopher Provenzano.

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

Adopted by the following vote:

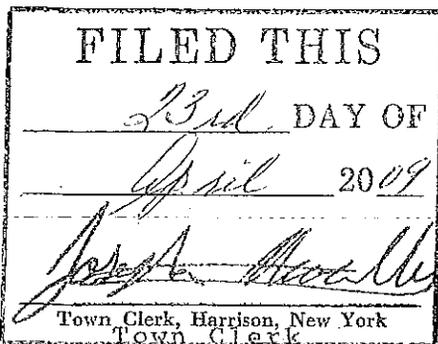
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

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April 16, 2009

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ACCEPTANCE, WITH REGRET, THE RETIREMENT OF  
FIRE MARSHAL STEVE SURACE

Supervisor Walsh thanked Mr. Surace for his dedicated years of service to the Town of Harrison.

Councilman Sciliano, speaking as a former West Harrison Fire Department Chief, stated he too would like to thank Mr. Surace for his years of service to the Town.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept, with regret, the letter of retirement of Fire Marshal Steve Surace, effective May 28, 2009.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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*M. Surace*

FILED THIS

*23rd* DAY OF

*April* 2009

*Joseph A. Scappaticci*  
Town Clerk, Harrison, New York  
Town Clerk

April 16, 2009

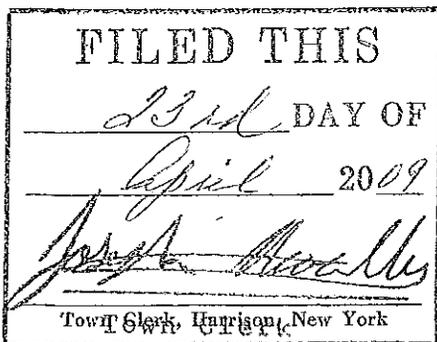
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ACKNOWLEDGEMENT OF MAYOR'S ART CHOICE AWARDS

The art recipients from the School of the Holy Child will receive their awards at the May 7, 2009 Town Board Meeting.

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April 16, 2009

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APPROVAL FOR THE HARRISON POLICE DEPARTMENTS TWO FIREARMS  
INSTRUCTORS TO ATTEND A ONE DAY ARMORER'S COURSE  
COST: \$150 PER OFFICER

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Chief of Police David Hall for authorization for the Department's two (2) Firearms Instructors to attend a one (1) day course, in New Windsor, New York, at a cost of \$150 per officer. This is for recertification and is mandatory training.

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

Adopted by the following vote:

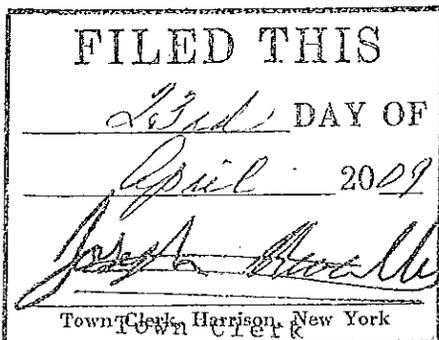
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

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April 16, 2009

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APPROVAL FOR THE HARRISON POLICE DEPARTMENTS  
TWO FIREARMS INSTRUCTORS TO ATTEND  
A THREE DAY ARMORER'S COURSE  
COST: \$350 PER OFFICER

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Chief of Police David Hall for authorization for the Department's two (2) Firearms Instructors to attend a three (3) day course, in New Windsor, New York, at a cost of \$350 per officer. This is for recertification and is mandatory training.

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

Adopted by the following vote:

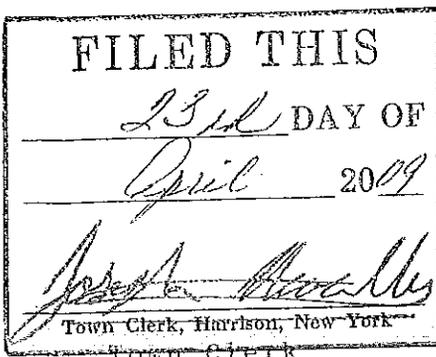
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

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April 16, 2009

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SALE OF LAND ON A PORTION OF ROCKWELL STREET

Attorney Michael A. Tiesi, on behalf of his client Cologero and Mary Palumbo, addressed the Board in reference to a petition his clients have submitted against the Town of Harrison's proposal to sell a piece of vacant land on a portion of Rockwell Street forming Petti John Park. Mr. Tiesi was joined by numerous members of the surrounding neighborhood who also opposed the proposal.

Village Attorney Robert Paladino submitted copies of the tax map and photographs of the said property to the Board.

Mr. Tiesi presented three arguments to the Board opposing the proposal;

One, which argues that the sale of the property would create a quality of life issue in the area as this neighborhood (the Brentwood) is already of a considerable size and therefore, there are not many vacant lots left. It is Mr. Tiesi's contention that if another household is built on this property, it will hinder the quality of life for the surrounding neighbors. In addition, Mr. Tiesi further explained that there is no parking already in this area and if another home were to be built, parking would become problematic.

A second argument in which Mr. Tiesi presented was that the existing park land, Petti John Park would be considerably affected by this sale and the neighbors are opposed to selling any open space in the Town of Harrison.

A third argument from Mr. Tiesi was made by a neighbor (Mr. Palumbo) whose front door faces this vacant lot. It is Mr. Palumbo's contention that his home was built with the belief that the vacant lot would remain vacant. Mr. Tiesi explained that if the lot were to be built on, Mr. Palumbo's home would be blocked in and be shielded from the sunlight it currently receives.

Supervisor Walsh explained that Petti John Park is located at the end of Calvert Street in the middle of Holland Street, Crotona Avenue and Glenwood Avenue. The area that is being considered is a paper street that runs straight through the park from Holland Street to Glenwood Avenue. It has been fenced in for many years and most of the fence runs in a straight line with the exception of a piece where there is an indentation which is 50ft wide by 22ft long.

Mr. Tiesi stated he and his clients understand the current budget circumstances the Board is faced with, however, they are asking the Board to consider the quality of life issues this proposal will impact before making any decisions.

Patty Langialotti, resident, addressed the Board in opposition to the proposal. Mrs. Langialotti stated that Petti John Park is a valued space in the neighborhood that is utilized much of the time. Mrs. Langialotti expressed opposition to any park land in town being sold for monetary reasons.

Mario Malloy, resident, addressed the Board in opposition to the proposal. Mr. Malloy stated that the Town of Harrison is considerably overbuilt due to the excessive development that took place during the housing boom. Open space in the downtown and Silver Lake areas of town is virtually non-existent which has led to a considerable parking problem town-wide. Mr. Malloy further stated that this proposal is a short term temporary fix for a town budget that has been plagued by excessive spending. It is Mr. Malloy's contention that once the piece of land is sold, it will be gone forever while the current budgetary problems will return. Mr. Malloy continued by stating that the Board is proposing selling public property without the public's benefit and it is incumbent upon the Board to maintain the quality of life and characteristics of this town. Mr. Malloy explained the overdevelopment in the town has caused high demand of services in the town that has put numerous strains on resources and other quality of life issues. Mr. Malloy concluded by stating that selling this piece of property is an ill-conceived idea and poorly thought out. He adamantly opposes any sale of park land in the Town of Harrison.

Robert Porto, resident, addressed the Board in opposition to this proposal. Mr. Porto stated he is opposed to selling park land to close any budget gap in the town because budgets may increase and decrease in value however; the land is what is of true value to everyone. It is Mr. Porto's contention that selling the property will change the look of the park as well as the environment. Mr. Porto believes that there are areas in the budget that can be cut, over time, in order to save on money. Mr. Porto questioned how the town's "Recreation Fee" works.

Councilman Cannella responded by stating there is an alternative that is given to the developer which is either to contribute a portion of the particular piece of real estate that is subject to the subdivision or to make a contribution to the Recreation Fee. On large parcels it is sometimes better to have a piece of land contributed to the Town of Harrison to be used for park or recreation use such as baseball fields. Sometimes with large parcels a particular piece of property may not be usable to the town therefore, the developer opts to donate to the Recreation Fee which is in lieu of the contribution of land. The Councilman further added the concept of this contribution is for the property to be used as recreation land.

Mr. Porto stated the term 'recreation' not only means ball fields but it means 'passive recreation' as well which means open space. Mr. Porto urged the Board not to sell this open space because it belongs to the residents. Mr. Porto went on to state that he was opposed to the school posting 'No Trespassing' signs in the woods behind the middle school. Mr. Porto explained like Petti John Park, the woods are open spaces which belong to the residents.

Supervisor Walsh responded by stating that the signs were posted so no hunting takes place.

Mr. Porto responded by stating he was opposed to the signs being posted and would continue to oppose them being posted until they are taken down.

Supervisor Walsh stated the 2009 budget had a 9.5% increase. When the budget process began, the proposed increase was 24.8%. The town worked very hard to bring the increase down to slightly over 10%. However, the Board included \$1.3 million in land sales which brought the increase to the existing 9.5%. The Supervisor went on to state that the Board will be holding meetings to discuss the current budgetary problems. The town's revenues are down from the

following sources: sales tax, mortgage taxes, Building Department fees and Court fines and interest from money in the bank. The Supervisor continued by explaining that the park is not the largest park the town has. As a result, the Supervisor stated this sale of land will impact only a small amount of residents. When the Supervisor visited the park today she stated that there were only 40 children occupying the park area with the play ground equipment away from the area that is proposed to be sold. The Supervisor stated this sale along with budget cuts is necessary in order to avoid another high tax increase next year.

Village Attorney Robert Paladino explained that the sale of the property would not be decided this evening. If the Board should so choose, the first step would be the de-mapping of Rockwell street which where the piece of property is located. The property can only be de-mapped after a Public Hearing in which all members of the community are invited to attend and speak.

Councilman Cannella stated the first time he heard of this potential sale of land was this evening. The Councilman agreed with the Supervisor that there is a considerable budget gap in the town right now and it will need to be addressed. However, the Councilman stated he believed the matter should be put on hold for a little while until the matter can be further investigated.

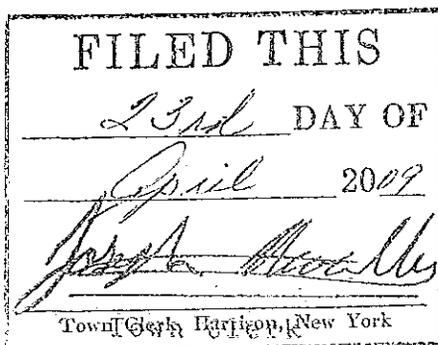
Brendon Murphy, resident, addressed the Board in opposition to the proposal. Mr. Murphy stated he did not believe selling a piece of property that is only 1,000 sq ft for a minimal value will help with the current budget problems. Mr. Murphy went on further to state he has believed all along there were other things the Board could do to offset the costs in the budget and further stated he believed the budget falsely forecasted the revenues for the town. Mr. Murphy would like the Board to have hands off approach on selling park land even if it only affects a few residents because it really affects the town.

Mark Muollo, resident, addressed the Board in opposition to the proposal. Mr. Muollo stated he felt it was unfortunate that the Supervisor stated earlier that she did not see any children playing in the area of the proposed site of the sale, because he as a child frequently played in that area of the park. Mr. Muollo added that before the town changed the layout of the park, many children played in that area and he (Mr. Muollo) believed it was also unfortunate as that his neighbors will lose that space because it is a place they all have enjoyed. Mr. Muollo asked the Board to consider finding the funds some place else.

Roy Porto, resident, questioned if the piece of property is located in the park.

Supervisor Walsh responded by stating that the piece of property in question is not apart of the parks tax map. *A discussion ensued regarding the location of the said piece of property.*

The matter was adjourned to ~~executive~~ executive session.



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April 16, 2009

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APPROVAL FOR A SPECIAL EVENTS PERMIT FOR  
OLD OAKS COUNTRY CLUB FOR  
A FIREWORKS DISPLAY ON JULY 3, 2009

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Building Inspector Robert FitzSimmons on behalf of Chris Kaminkas, General Manager of the Old Oaks Country Club, for a Special Events Permit for Old Oaks Country Club's Fireworks Display on Friday, July 3, 2009, with a rain date of Saturday, July 11, 2009.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector, the Comptroller, the Chief of the Purchase Fire Department, the Harrison EMS and Mr. Kaminkas.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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*Chief of the Purchase Fire Dept.*  
*Harrison EMS*  
*Mr. Kaminkas*

**FILED THIS**  
*23rd* DAY OF  
*April* 2009  
*Joseph A. Cannella*  
Town Clerk Harrison New York

April 16, 2009

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APPROVAL FOR A BUDGET TRANSFER

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for the following budget transfer:

**From:**

001-1900-100-4490  
Town – Contingency                      \$15,000

**To:**

001-3120-100-0102  
Police Salaries                              \$15,000

To transfer monies from Town contingency to Police salaries to cover retired officer. This amount is in the 2009 Budget.

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

Adopted by the following vote:

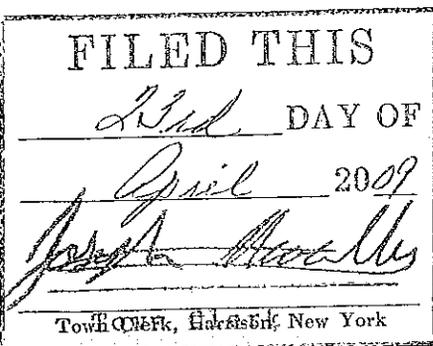
AYES:            Councilmen Cannella, Scappaticci, Vetere and Sciliano  
                         Supervisor Walsh

NAYS:            None

ABSENT:        None

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APPROVAL FOR A BUDGET MODIFICATIONS

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for the following budget modifications:

Increase:

001-0000-040-4090  
Federal Aid-Police Grant \$14,751

Increase:

001-3120-100-0423  
Police-Uniforms \$14,751

To modify the budget to reflect monies received from federal grant for the purchase of police vests.

Increase:

001-0000-030-3019  
State Aid-Justice Court Grant \$7,700

Increase:

001-1110-100-0250  
Town Justice-Equipment Fixed Assets \$7,700

To modify the budget to reflect grant monies received from state for Justice Court.

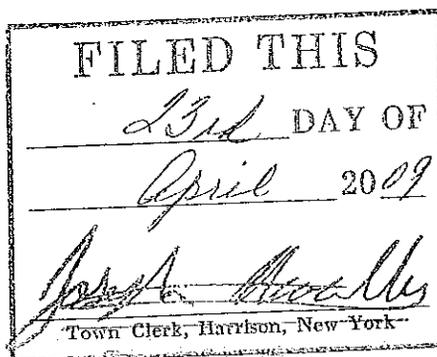
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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April 16, 2009

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APPROVAL FOR THE END OF YEAR TRANSFERS FOR 2008

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for the following end of year transfers for 2008:

**From:**

001-1640-100-0120 Central Garage-Overtime	\$4,861
001-1640-100-0130 Central Garage-Part time Salaries	\$10,901
001-1640-100-0240 Central Garage-Other Equipment	\$8,820
001-1640-100-0402 Central Garage-Equipment Mtc & Repairs	\$15,751
001-1640-100-0415 Central Garage-Schooling	\$6,000
001-1900-100-4406 Special Items-Master Plan Update	\$18,762
001-3120-100-0810 Police-New York State Retirement	\$108,581
001-7020-100-0240 Recreation-Other Equipment	\$17,720
001-7550-100-0410 Celebrations-Material and Supplies	\$7,000
001-9000-100-0810 Employee Benefits-New York State Retirement	\$65,897
<b>Total</b>	<b>\$264,293</b>

To:

001-9000-100-0860	
Employee Benefits-Major Medical	\$89,814
001-9501-100-0907	
Town-Transfer to Debt Service	\$174,479
<b>Total</b>	<b>\$264,293</b>

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

Adopted by the following vote:

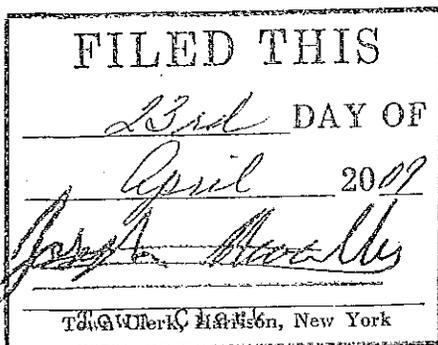
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

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April 16, 2009

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APPROVAL TO HAVE 5 SUNSET LANE, BLOCK 0491, LOT 030  
WITHDRAWN FROM THE MAMARONECK VALLEY SEWER DISTRICT

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Gerard Moreno to have his property at 5 Sunset Lane, Block 0491, Lot 030, withdrawn from the Mamaroneck Valley Sewer District.

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

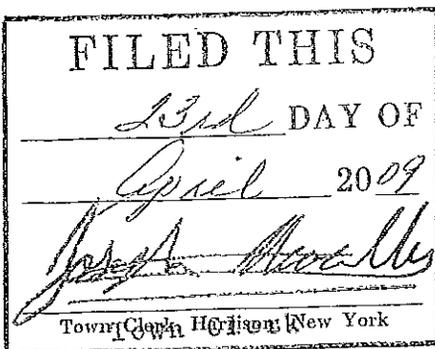
Adopted by the following vote:

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
- X

*West. Cty. Bd. of Legislators*



April 16, 2009

2009 -- 167

APPROVAL FOR A BID AWARD FOR BUS SERVICE FOR  
THE RECREATION DEPARTMENT TO THE FOLLOWING.

TOTAL COST: \$17,650

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinins for authorization for a Bid Award for Bus Service for the Recreation Department to the following:

**SERVICE BUS CO., P.O. BOX 51, 845 NEPPERHAN AVE., YONKERS, NY 10703**

Trips to Rockland County	Coach Bus	\$ 740.
Trips to NBA Hall of Fame-MA	Coach Bus	\$1,075.

**COUNTY COACH, P.O. BOX 261, RYE, NY 10580**

Trips within Town of Harrison	Coach Bus	\$ 550.
	School Bus	\$ 225.
Trips within Westchester County	Coach Bus	\$ 575.
	School Bus	\$ 275.
Trips to Putnam County	Coach Bus	\$ 625.
	School Bus	\$ 300.
Trips to Sullivan County	School Bus	\$ 475.
Trips to Rockland County	School Bus	\$ 325.
Trips to Nassau County	Coach Bus	\$ 750.
	School Bus	\$ 375.
Trips to New Jersey	Coach Bus	\$ 775.
	School Bus	\$ 375.
Trips to Manhattan	Coach Bus	\$ 675.
	School Bus	\$ 350.
Trips to other boroughs	Coach Bus	\$ 650.
	School Bus	\$ 350.
Trips to Shea Stadium	Coach Bus	\$ 675.
Trips to Yankee Stadium	Coach Bus	\$ 675.
Trips to Cooperstown, NY	Coach Bus	\$1,475.
Trips to Connecticut	Coach Bus	\$ 650.
	School Bus	\$ 350.
Trips to Long Island	Coach Bus	\$ 700.
	School Bus	\$ 375.

**J & R Tours, 80 Edison Ave, Mount Vernon, NY 10550**

Trips to Sullivan County	Coach Bus	\$ 825.
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**Royal Coach Lines, Inc., 1010 Nepperhan Ave, Yonkers, NY 10703**

Trips to Nassau County	School Bus	\$ 375.
Trips to New Jersey	School Bus	\$ 375.
Trips to Shea Stadium	School Bus	\$ 385.
Trips to Yankee Stadium	School Bus	\$ 350.
Trips to Connecticut	School Bus	\$ 350.
Shuttle Buses – Full Day	School Bus	\$ 275.

**Ardsey Bus Corp., Inc., P.O. Box 712, Elm St, Ardsley, NY 10502**

Trips to Manhattan	School Bus	\$ 350.
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FURTHER RESOLVED to authorize the Comptroller, upon receipt of claims, and upon audit the Supervisor is authorized to pay same.

Adopted by the following vote:

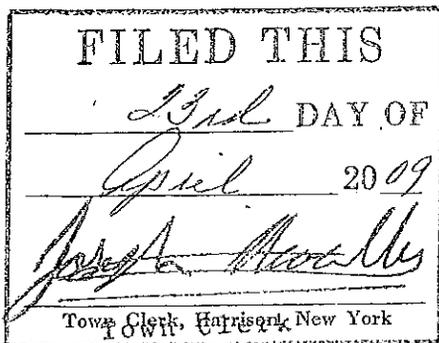
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 16, 2009

2009 - - 168

APPROVAL TO ACCEPT A GRANT FROM THE FOOD BANK OF WESTCHESTER  
FOR THE HARRISON FOOD PANTRY, IN THE AMOUNT OF \$1,000.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Community Services Nina Marraccini for authorization to accept a Grant in the amount of \$1,000 from the Food Bank of Westchester for the Harrison Food Pantry.

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

Adopted by the following vote:

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

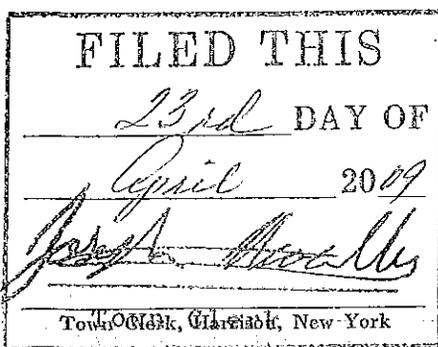
NAYS: None

ABSENT: None

Copies to:

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

*Nina Marraccini*  
Director of Community Services



April 16, 2009

2009 - - 169

APPROVAL FOR A SPECIAL EVENT PERMIT FOR  
THE CHURCH OF ST. GREGORY THE GREAT TO  
HOLD A PROCESSION ON TUESDAY, MAY 26, 2009

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Rev. Msgr. Francis McAree of the Church of St. Gregory the Great for a Special Event Permit for a procession on Tuesday, May 26, 2009 at 7:30 PM.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that a police escort be provided as the procession rout is on Halstead Avenue, from West Street to Bishop Dargin Square.

FURTHER RESOLVED that a Certificate of Insurance be submitted.

FURTHER RESOLVED to forward a copy of this Resolution to Rev. Msgr. McAree, the Commissioner of Public Works, the Chief of Police, the Harrison Fire Department, the Harrison EMS and the Town Attorneys.

Adopted by the following vote:

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

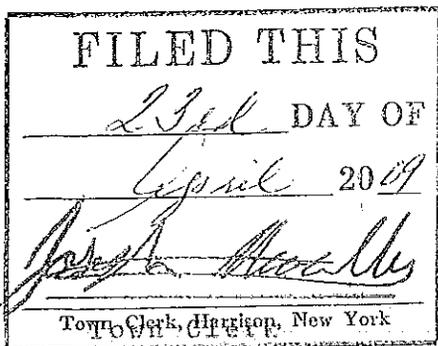
NAYS: None

ABSENT: None

Copies to:

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

*Rev. Msgr. McAree*  
*S. P. Walsh*



April 16, 2009

2009 - - 170

APPROVAL OF PURCHASE ORDER #290278 FOR A BURN ROOM AT  
FIRE DISTRICT #1. COST: \$28,054

Chief of the West Harrison Fire Department Pat Galluzzo and Assistant Fire Chief Steve Mancini addressed the Board. Chief Mancini stated this project is paramount to the membership and other fire departments in the area. The recommendations that are being made at the state level on the firefighters in Harrison and the surrounding communities is immense and in order to keep up with this training the departments needs to add this second facility.

Councilman Vetere questioned if any of the town employees can build the facility in order to save on the costs.

Assistant Chief Mancini responded yes, and went on to explain that the department is looking into that option.

Commissioner of Public Works, Robert Wasp addressed the Board. Commissioner Wasp asked Chief Galluzzo to submit plans of the facility to his office so he (Commissioner Wasp) can look into which employees of his can construct the facility.

On motion of Supervisor Walsh, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization for Purchase Order #290978 in the amount of \$28,054 for material to construct an additional Burn Room at Fire District #1. This is a 2009 budgeted item.

FURTHER RESOLVED that funding is available is account #010-3410-100-04-01.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Director of Purchasing and the Chief of Fire District #1.

Adopted by the following vote:

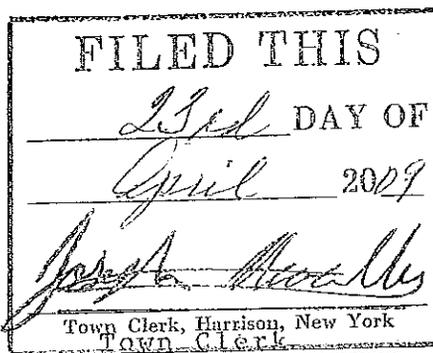
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



*Handwritten signature and initials*

April 16, 2009

2009 - - 171  
DISCUSSION

RE: PROPOSED FIXED TOWING CHARGES LAW

Supervisor Walsh stated the Board is considering adopting a new law that would regulate the charges a towing company can charge a person within the town boundaries. The Supervisor explained that certain towing companies are called for tow services and charge different rates without any standardized charges.

Deputy Village Attorney Jonathan Kraut stated it is the recommendation of the Law Department for the Board to adopt a formalized policy that would allow the police department to call a tow service for all non-consensual tow circumstances meaning; arrests for drunken driving, or an arrest that involves the seizure of an automobile. Mr. Kraut further stated that the court ruling have only made it possible for towing charges to be fixed for non-consensual tows. With the adoption of this policy, the Board would be able to set standards for the tow operators such as insurance, indemnity, minimum towing standards and will also be able to set the price by Town Board Resolution. With regard to controlling consensual tows off of public roadways, Mr. Kraut stated it is the Law Departments recommendation the Board adopts a local law requiring licensing for towing companies wishing to tow within the boundaries of the Town of Harrison. Some of the same provisions from non-consensual towing circumstances would still apply however, with regards to rates, the Board would not be able to regulate the rates however, the town could 1) require the rates be posted in a conspicuous manner, 2) the price be divulged to the motorist before the cars is taken away. Mr. Kraut further explained the town could possibly require the tow company to receive a signature from the motorists and keep that documentation for a period of time. If the tow company were to violate any of these requirements then it would be a direct violation of the law and a fine could be administered or loss of license to tow within the town. Mr. Kraut believes these two proposals would address 99% of the concerns the public has had with towing charges.

Councilman Cannella asked if there are other municipalities in the area who regulate the tow rates.

Mr. Kraut responded by stating yes, having investigated what other local municipalities do, there are some who regulate the rates which is unconstitutional. However, there are some who fix fees for non-consensual tows which is what is being proposed. The only circumstance in which the municipality can fix the fee is when a safety issue is raised. Mr. Kraut explained that another option that the town has is to bid out the work as certain interstates do.

*A discussion ensued regarding the difference between consensual and non – consensual tows.*

*Mr. Kraut stated he would prepare an outline of the proposed law within a week and circulate it to the Board.*

FILED THIS  
*L. Bid* DAY OF  
*April* 2009  
*Joseph A. Cannella*

Copies to:

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

April 16, 2009

2009 - - 172

AUTHORIZATION FOR AMENDMENT #2 TO THE CONTRACT WITH  
KELLARD SESSION ENGINEERING. COST: \$24,000.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Commissioner of Public Works Robert Wasp for authorization for Amendment # 2 to the contract with Kellard Session Engineering, for work related to the preparation of construction plans and bid documents for the Meadow Lane Drainage Improvements project, at a cost not to exceed \$24,000.

FURTHER RESOLVED that funding is available in the Meadow Lane Drainage District Improvement Capital Account.

FUTHER RESOLVED that the Law Department is authorized to increase the upset limit of this contract from \$15,000 to \$39,000.

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

Adopted by the following vote:

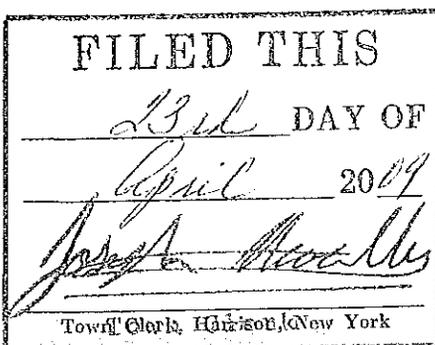
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 16, 2009

2009 - - 173 (corrected)

APPROVAL OF THE BUDGET TRANSFER  
RE: 500 TONS OF ROAD SALT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Robert Wasp to transfer \$11,374 from account # 003-5142-100-01-40 (Highway Part-Time Summer) to account # 003-5142-100-04-10 (Highway Materials and Supplies).

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

\*\* the amount was incorrect

Copies to:

- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supvs't
- 

FILED THIS

27th DAY OF

April 2009

Joseph A. ...  
Town Clerk, Harrison, New York

Town Clerk

April 16, 2009

2009 - - 174

DISCUSSION

RE: REQUEST BY COMPTROLLER MAUREEN MACKENZIE TO RELEASE THE  
RESERVE FOR CONTINGENCY IN THE AMOUNT OF: \$675,000.

Comptroller Maureen MacKenzie addressed the Board. Ms. MacKenzie stated that the Town has completed an audit and the Comptroller's Office is awaiting the final audit report. Within the towns fund balance there is a line for contingencies. Currently, there is \$675,000 in that contingency that is on reserve, therefore, it cannot be used for anything else. One of the recommendations the auditors made was to release the reserve for the contingency line in the amount of \$675,000 for the 2009 – 2010 years that was reserved within the Town Fund Balance. A Town Board Resolution is needed to do so.

Councilman Cannella questioned if this had to be done this evening.

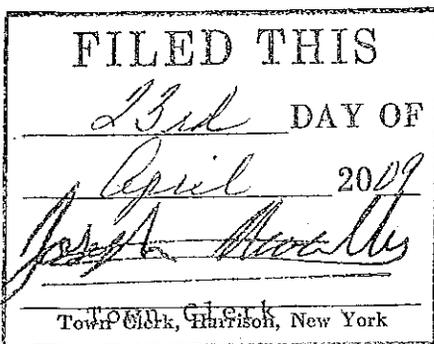
Comptroller MacKenzie responded by stating that the audit cannot be completed until a decision is made.

Councilman Cannella recommended waiting a few weeks until the Board is able to get a better understanding of the current budget situation.

The matter was adjourned to a later date.

Copies to:

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



April 16, 2009

2009 - - 175

APPOINTMENT OF PAUL MARCONE AS PART TIME TRAFFIC LABORER  
IN THE HARRISON POLICE DEPARTMENT.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Chief of Police David Hall for authorization for the appointment of Paul Marcone as part time traffic laborer, for the Harrison Police Department, at the hourly rate of \$11 per hour effective April 17, 2009.

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

Adopted by the following vote:

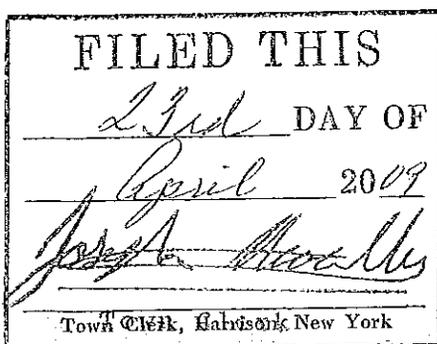
AYES: Councilman Cannella, Vetere, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 16, 2009

2009 -- 176

DISCUSSION: LORI WILSON ON BEHALF OF  
THE WEST HARRISON  
NEIGHBORHOOD ASSOCIATION  
RE: SIDEWALKS ON MAIN STREET IN WEST HARRISON

Lori Wilson, President of the West Harrison Neighborhood Association (WHNA) addressed the Board. Mrs. Wilson stated that the WHNA met last evening and discussed their feelings as to whether or not sidewalks should be added to Main Street during the construction phase. Mrs. Wilson reported that 87% are in favor 13% are opposed. Of the 87%, 74% want sidewalks on both sides while 15% want sidewalks on the south side and 11% want sidewalks on the north side.

Councilman Vetere questioned if there was any additional money left to add sidewalks on both sides.

Commissioner of Public Works Robert Wasp responded in the negative that there were no additional funds to add sidewalks on both sides of the street. The Commissioner went on to explain the history of this construction project and why it is his recommendation to keep the roadway 24ft wide and add a sidewalk on the south side of the street because that side of the road is a natural link to the bordering White Plains and dog park .It is Mr. Wasp's contention that a sidewalk on the north side of the street would not be beneficial to the area as there is much less space on that side of the road due to driveways, drains, change of grades and parking.

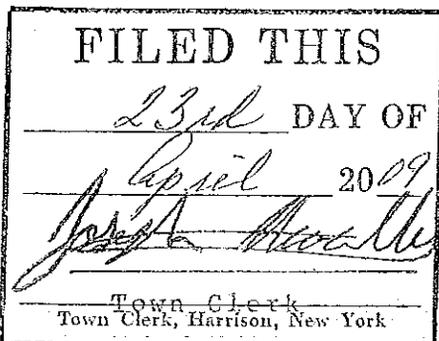
*A discussion ensued regarding adding an additional sidewalk on the north side.*

Mrs. Wilson contended that a sidewalk on both sides of the street would be beneficial to the residents for children walking to DelFino Park in White Plains.

Councilman Scappaticci contended that very few residents walk to White Plains on the north side of the street.

Supervisor Walsh stated she had received calls from residents asking for a sidewalk on both sides.

Mr. Wasp stated he would visit the site and review putting a sidewalk on both sides of the street and report back to the Board within a week.



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

April 16, 2009

2009 -- 177

MATTERS FOR EXECUTIVE SESSION:

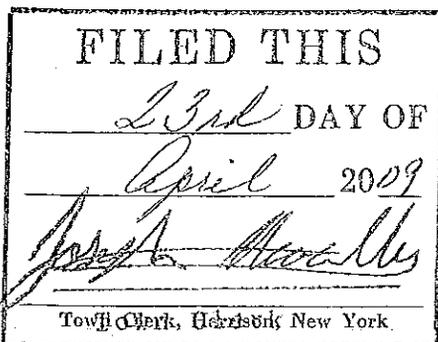
Sale of Property	1
Personnel	3
Litigation	2

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was recessed for Executive Session at 9:20 PM.

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was re-convened at 10:24 PM.

Copies to:

- Assessor
- Benefits
- Bldg
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- Engng
- Law
- Police
- P. Wrks
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- Recr'tn
- Supvs'r
- 



April 16, 2009

2009 - - 178

AUTHORIZATION FOR SETTLEMENT OF AMTEK v TOWN OF HARRISON,  
IN THE AMOUNT OF \$50,000

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the settlement of AMTEK v Town of Harrison, in the amount of \$50,000.

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

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

Adopted by the following vote:

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

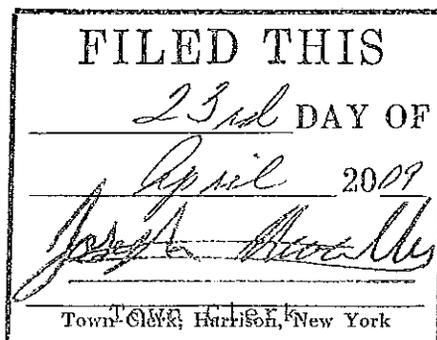
NAYS: None

ABSENT: None

There being no further matters to come before the Board,  
the Meeting was, on motion duly made and seconded, with  
all members voting in favor, declared closed at 10:26 PM.

Respectfully submitted,

Joseph Acocella  
Town Clerk



Copies to:

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