

August 6, 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 6th day of August at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Supervisor

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

ALSO ATTENDING:

Frank Allegretti Town Attorney
Robert Paladino..... Village Attorney
Jonathan Kraut Deputy Village Attorney
Fred Castiglia Deputy Town Attorney
David Hall Chief of Police
Maureen MacKenzie Comptroller
Judy D'Agostinis Director of Purchasing
Ron Belmont Superintendent of Recreation
Anthony Marraccini Captain

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FILED THIS
25th DAY OF
August 20*09*
Angelo J. Sannucci
 Town Clerk, Harrison, New York

August 6, 2009

2009 - - 298

LETTER COMPLIMENTING THE DEPARTMENT OF PUBLIC WORKS

Supervisor Joan Walsh read a letter from Jeff Sages of Cyprus Point Drive complimenting Commissioner of Public Works Robert Wasp, and the Department, especially Kelly McCutcheon who is the person who answers the phone and solves problems. Mr. Sages stated that he is impressed with the courtesy and professionalism shown to him over the past few years, no matter what the problem was.

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FILED THIS
25th DAY OF
August 2009
Angela J. Sanucci, Deputy
Town Clerk, Harrison, New York

August 6, 2009

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DONATION BY THE PURCHASE FREE LIBRARY

Supervisor Joan Walsh received a check from the Purchase Free Library in the amount of \$12,500. Supervisor Walsh stated she has been saying we're short of funds this year, so the Comptroller Maureen MacKenzie spoke to various entities that the Town funds asking them to return some of the money allocated to them in 2009, and if they could cut their budgets. The Purchase Library came through in spades and the Supervisor thanked them for the return of \$12,500.

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FILED THIS
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Angelo J. Sarnucci, Deputy
Town Clerk, Harrison, New York

August 6, 2009

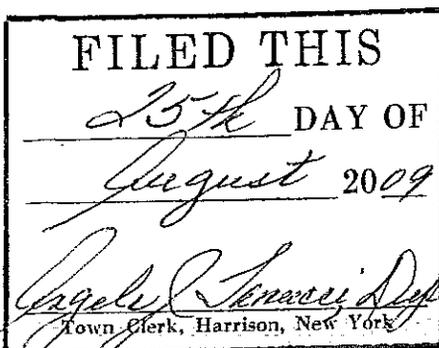
2009 - - 299 - - b

EXPLANATION OF THE NO CHARGE FOR
WESTCHESTER FOOD SERVICE RENT

The Supervisor explained that some decisions made following the Town Board Meeting held on July 8, 2009 regarding the reduction in the rental charge for the food concession at the Ron Belmont Pool. RE: A-2, we had agreed upon a price but, because of not opening before Memorial Day as anticipated, the Board agreed it was not fair to charge Westchester Food Service rent for the time the pool was not open.

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August 6, 2009

2009 -- 299 -- c

DISCUSSION: RE: SETTLEMENT OF CERTIORARIS

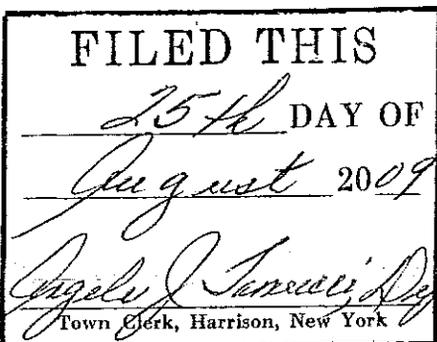
Lucille Held asked the names of the applicants whose certioraris were settled, and how much money went to them.

Supervisor Walsh explained that she didn't have the names before her but come to see her tomorrow, they're all corporations.

Mrs. Held replied that it's very important to know where the money is going.

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August 6, 2009

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ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the following correspondence and reports:

- 1a. Monthly report by the Building Inspector for June 2009.
 - 1b. Monthly report by the Chief of Police for June 2009.
 - 1c. Monthly report by the Commissioner of Public Works for June 2009, with a chart of complaints and requests for service.
 - 1d. Monthly report by the Superintendent of Recreation for June 2009.
2. Notification by Michael Anderson, Project Director, NYS Department of Transportation that a copy of the Scoping Summary Report and Scoping Comments Report, as well as finalized versions of the Alternatives Analysis for Rehabilitation and Replacement of the Tappan Zee Bridge and the Transit Mode Selection Report, is available for viewing in the Town Clerk's office.

Supervisor Joan Walsh stated that she has gone to a number of those meetings. They have many charts and suggestions.

Lucille Held asked if it is a fact that we'll be having a train coming across the Tappan Zee Bridge.

Mrs. Walsh responded that it's the rehabilitation of the bridge, that is being discussed and the alternatives are: (1) are they going to build a new one, (2) one alongside, (3) are they going to repair the one that's there, (4) have a mass transit system, a bus or train. She added that no decisions have been made. Mrs. Walsh continued that the reason she goes to meetings is to find out if there will be a train or bus that will go between the counties, that they talk about people coming from Rockland County into Westchester but there will be people traveling from Westchester to Rockland County, but obviously the cars that they will take to whatever station is established will have to go somewhere. Mrs. Walsh continued that she wants to be sure that they're not in a place that will be bad for Harrison.

Mrs. Held explained that she has been made to understand that's its going to be on Kenilworth Road at the end where I-287 meets that road.

Mrs. Walsh replied that no decision has been made.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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FILED THIS
25th DAY OF
August 2009
Angelo J. Torraci, Deputy
Town Clerk, Harrison, New York

August 6, 2009

2009 - - 301

DISCUSSION: RE: PART "A" OF THE TOWN BOARD AGENDA

Resident Anne Veneziano had the following questions regarding the report from Supervisor Walsh on decisions made following the Town Board Meeting held on July 8, 2009:

RE: A4 – to raise the cap on legal fees in the matter of Doe v Marraccini. up to \$50,000.

RE: A5 – to raise the cap on legal fees in the matter of DeVittorio v Dave Hall, up to the amount of \$125,000. Is this money covered by insurance.

Supervisor Walsh replied no, it comes out of our taxes.

Ms. Veneziano, what was the original cap Re: No. A4.

Town Attorney Frank Allegretti responded that we have a cap of \$10,000 by Town Board Resolution on each case. Every case gets filed separately, the Law Department keeps track of the bills, the hours, the expenses, and when it exceeds the cap, the Town Attorneys come to the Board to ask for a raise in the cap.

Mrs. Walsh replied that these fees are for outside attorneys and they are ongoing.

Ms. Veneziano asked what they are about.

Mrs. Walsh responded that they are lawsuits that have been filed against members of the police department and one is by a citizen.

Mr. Allegretti replied that these are public records that can be viewed in the federal court house and anyone can look up every single case that's pending against the Town. It's a matter of public record.

Mrs. Held replied that she has tried to get information under the FOIL and has been refused listings of all of the cases against the police department.

Mr. Allegretti responded you haven't been refused, your FOIL requests were not completely comprehensible as to what you were looking for. He added that he believes he said he needed more information as to what you were looking for. He further said he did not deny the FOIL.

Mrs. Held said she was asking you how many cases are on file.

Mr. Allegretti stated that the attorneys do not answer questions on FOILS, we give documents.

Anne Veneziano re-addressed the Board requesting information regarding A7, Vincent Toomey.

Mr. Allegretti responded that Mr. Toomey is the Town's outside labor lawyer who handles a variety of matters as the Town's outside consultant.

Liberty, a resident who did not give her last name, asked who's paying for his bills.

Supervisor Walsh responded: tax dollars.

Liberty further asked, does that mean we're going to have an increase in our taxes.

Mrs. Walsh replied she is working very hard to avoid that.

Liberty stated that she heard there would be an increase of 20% in our taxes.

Mrs. Walsh responded, she'd never said that adding that there is no way to tell in August what the tax rate will be come next January. Mrs. Walsh further said she has repeated that we do not have money, that last year, when the budget was put together, we looked at the budget and cut all the anticipated revenue that we expected the Town to receive. She continued the Town gets revenue from sales tax but shopping is down from mortgage filing fees but houses are not being sold, money from interest on the tax money we put in the bank, we anticipate only 1%, a minor amount, that's what the banks had told us to expect, it is now less than 1%, we get money from court fees and fines, that revenue is also down. The last amount is from building department fees.

Liberty said that the town has no money, but in Silver Lake, there's a new pool that's lit up. This cost millions of dollars and if you didn't use millions of dollars on the pool you would have had your money.

Mrs. Walsh responded that she agreed.

Liberty continued that in Silver Lake you are going to cause an accident on Underhill and Lake Street where the Town built that planter with a big clock, a new pool, that's beautiful. Let's not say the Town doesn't have the money, and let's not say you're going to blame it on Steve.

Mrs. Walsh responded that what one has to look at is the fact that all those plans were done by the prior administration, everything was in place before she took office. There was nothing there that she could have stopped. She added she could have stopped the finishing of the pool, but the Town had already invested so much money in it, all we would have had was a hole in the ground, and yes, she made the judgment, together with the Board, to go ahead and complete the pool.

Liberty asked: do I have the right to ask what was the cost. I have a right to know, I'm a taxpayer.

Supervisor Walsh responded that she did not have that cost in front of me but it was part of the Streetscape project.

Liberty asked why the planter was put there.

Mrs. Walsh answered it was not her design, that it was approved by the prior administration.

Liberty asked if the Supervisor could have stopped that approval.

Mrs. Walsh stated no, it was a finished plan and, no, she did not change when she came.

Liberty stated that it's a really big accident ready to happen.

Mrs. Walsh stated the design was approved by traffic engineers.

Liberty then asked: what about the lights you have in Silver Lake.

Mrs. Walsh replied that there are too many lights, but we are working on that problem, perhaps turning off every other light.

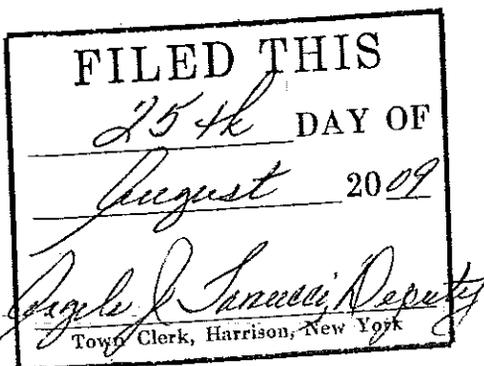
Liberty then said: I'm sure that costs a pretty good bundle of our taxpayer's money. How much does that cost?

Mrs. Walsh replied that she did not have those figures in front of her but invited her to come to the office tomorrow and we'll tell you.

Councilman Cannella replied that it cost 5.8 million for the pool itself.

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August 6, 2009

2009 -- 302 -- a

PUBLIC HEARING – AMENDED SPECIAL EXCEPTION USE PERMIT
RE: OVERALL BASELINE MASTER PLAN FOR MANHATTANVILLE COLLEGE

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

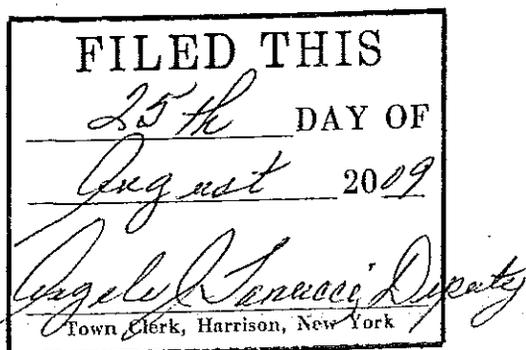
Attorney Seth Mandelbaum of McCullough, Goldberger & Staudt spoke on behalf of his client Manhattanville College. Mr. Mandelbaum explained that the College would like to provide the Town of Harrison with an overall baseline Master Plan for the property, including all improvements that have been completed to date, an as-built inventory of the current uses in the existing buildings on campus, and the potential future areas of development. He went on to say that the Application received Amended Special Exception Use/Site Plan/Wetlands Permit and Slope Permit approval, as well as a Negative Declaration under SEQRA, from the Planning Board at its June 23, 2009 meeting. Mr. Mandelbaum stated that Jerry Schwalbe from Divney, Tung, Schwalbe is here this evening and if the Board would like, Mr. Schwalbe would give a brief overview of the Master Plan.

Supervisor Walsh responded that they have been to the Campus and the Board members are familiar with the buildings that are there.

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

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August 6, 2009

2009 -- 302 -- b

ADOPTION OF AMENDED SPECIAL EXCEPTION USE PERMIT
RE: MANHATTANVILLE COLLEGE

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Attorney Seth Mandelbaum for the adoption of the Amended Special Exception Use Permit for Manhattanville College.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Building Inspector, the Commissioner of Public Works and Mr. Mandelbaum.

Adopted by the following vote:

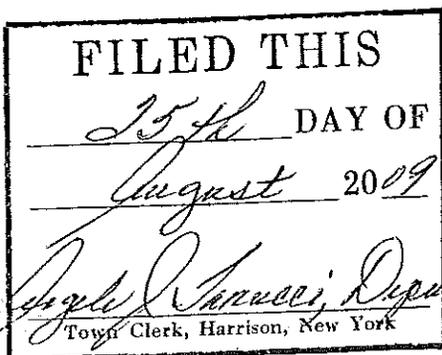
AYES: Councilman Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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Mr. Mandelbaum

August 6, 2009

2009 - - 303 - - a

PUBLIC HEARING -- RE: ADDING CHAPTER 227, VEHICLE TOWING,
AS LOCAL LAW NO. 2 OF 2009

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

Deputy Village Attorney Jonathan Kraut explained that the Local Law covers consensual towing, that is towing from a public road is not being done at the direction of a police department for an impound or other reason and in this instance we're setting forth some rules, laws that apply to the towing of vehicles. In this section of the Law we are not going to set any fees.

Councilman Scappaticci replied that at the last meeting he asked for a schedule which could be amended rather than amend the whole document each time of what the fees are going to be.

Mr. Kraut asked by fees do you mean fines.

Mr. Scappaticci responded no, fees.

Mr. Kraut explained that there is a collateral document that has nothing to do with the local law that is a proposed enactment of a rotational duty tow policy. That will be enacted by simple resolution of the Town Board and can be amended or resolved by resolution by the Town Board.

Mr. Scappaticci responded that he thought that was going to be part of this document.

Mr. Kraut replied that it's a separate document, same subject.

Councilman Cannella responded that the reason we did it that way is if you amend the local law you have to have a public hearing. This way you can do what you want.

Supervisor Walsh explained that part of this local law is that the operators will be required to post on their vehicle's what their schedule of fees are and will be required to give a copy to the owner of a vehicle, so before a car is towed away, the owner of the vehicle will know the cost in order to retrieve it.

Mr. Kraut explained that in the final version it does not contain mandatory placarding of the vehicles but rather in 227-4 it requires that the fees be provided in writing and in advance of the tow operator.

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On motion of Councilman Cannella, seconded by Councilman Scappaticci, with no one else speaking in favor or against the Hearing was closed.

FILED THIS
25th DAY OF
August 20*09*
Gayle Scappaticci
 Town Clerk, Harrison, New York

August 6, 2009

2009 -- 303 -- b

ADOPTION OF LOCAL LAW NO. 2 OF 2009 BY ADDING CHAPTER 227
TO THE TOWN CODE ENTITLED VEHICLE TOWING

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to Section 20 of the Municipal Home Rule Law by adding Chapter 227 to the Town Code entitled Vehicle Towing.

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

Adopted by the following vote:

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

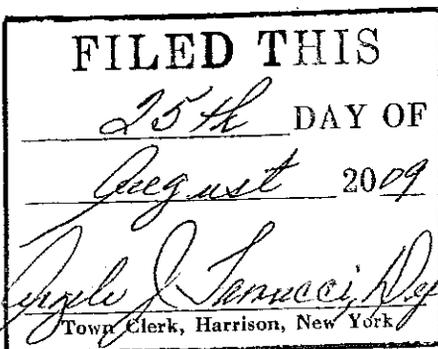
NAYS: None

ABSENT: None

The Vehicle Towing fees will be discussed later in this meeting.

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August 6, 2009

2009 - - 304

APPROVAL FOR P.O. WILLIAM DUFFELMEYER TO ATTEND
MANHATTANVILLE COLLEGE FOR THE 2009 FALL SEMESTER. COST: \$2,815.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Chief of Police David Hall for authorization for P.O. William Duffelmeyer to attend Manhattanville College for the 2009 Fall Semester, at a cost of \$2,815, for tuition and books for the following course:

“Educational Content & Disciplinary Concepts”

FURTHER RESOLVED that upon satisfactory completion and submission of P.O. Duffelmeyer’s attendance and upon proof of payment, the Comptroller is authorized to audit and pay expenses as per the contract with the HPA.

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

Adopted by the following vote:

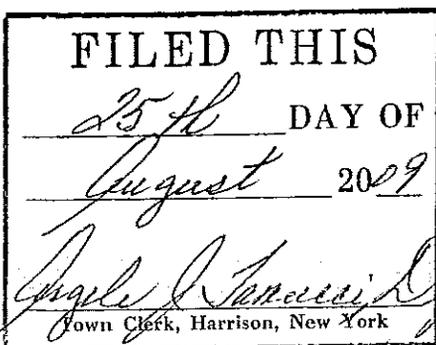
AYES: Councilman Cannella, Scappaticci and Sciliano

NAYS: Councilman Vetere and Supervisor Walsh

ABSENT: None

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August 6, 2009

2009 - - 305

APPROVAL FOR P.O. FRANK MORABITO AND P.O. DERKA CANNON
TO ATTEND A TWO DAY NYSPIN ADVISOR COMMITTEE MEETING.
TOTAL COST NOT TO EXCEED \$800.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Chief of Police David Hall for authorization for P.O. Frank Morabito and P.O. Derka Cannon to attend a two day NYSPIN Advisor Committee Meeting, in Albany, New York, on November 12 and 13, 2009. The cost for registration is \$50 per officer, for a total not to exceed \$800 for travel and lodging. Attendance at this meeting is mandatory for these officers who are the Department's Terminal Agency Coordinators and will cover portal integration changing over to E Justice and doing away with NYSPIN.

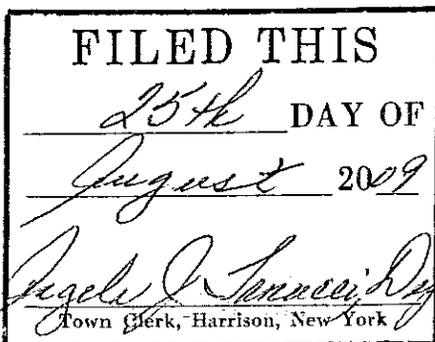
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Chief of Police and the Personnel Manager.

Adopted by the following vote:

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

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August 6, 2009

2009 - - 306

APPROVAL TO TRANSFER \$3,000 FROM THE TRAFFIC BUDGET TO
THE TRAFFIC PART TIME SALARY LINE IN THE POLICE DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Chief of Police David Hall to transfer \$3,000 from the Traffic Budget (3310.410) to the Traffic Part Time Salary Line to cover the salary of Paul Marcone until the end of the summer. Mr. Marcone is assisting Jim Monteiro with line painting and sign replacement.

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

Adopted by the following vote:

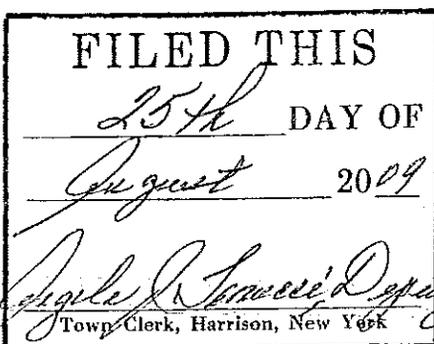
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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August 6, 2009

2009 - - 307

APPOINTMENT OF ARLENE LADORE TO THE PART TIME AVAILABILITY LIST FOR SCHOOL CROSSING GUARDS.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Chief of Police David Hall for the appointment of Arlene LaDore to the part time availability list for School Crossing Guards, effective immediately, at an hourly salary of \$17.50 per hour.

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, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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FILED THIS
25th DAY OF
August 20*09*
Angela J. Scavone, Deposit
 Town Clerk, Harrison, New York

August 6, 2009

2009 -- 308

APPROVAL FOR THE ADDITION TO THE RECREATION SUMMER
PART TIME AVAILABILITY LIST

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

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

Additional Summer Staff Attendant

<u>NAME</u>	<u>HOURLY RATE</u>
Kelsey Ryan	\$6.50

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

Adopted by the following vote:

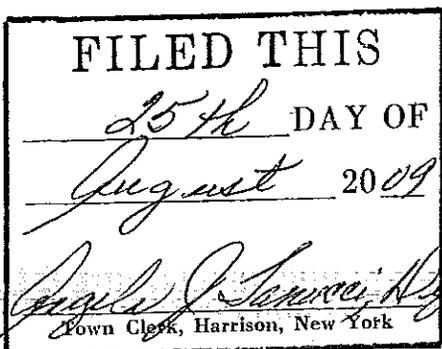
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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August 6, 2009

2009 - - 309

AUTHORIZATION TO TRANSFER \$2,000 FROM THE COURT CLERK'S FIXED ASSETS TO TRAVEL AND CONFERENCE

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Court Clerk Rosemary King to transfer \$2,000 from part time salary (#001-1110-100-130) to travel and conference (#001-1110-100-04-06).

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

Adopted by the following vote:

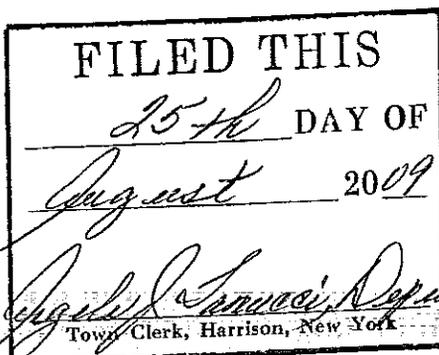
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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Court Clerk

August 6, 2009

2009 - - 310

APPROVAL FOR THE ADOPTION FOR A RESOLUTION IN SUPPORT OF THE COLLATERAL SOURCE LITIGATION S6004 AND STATE ASSEMBLY A-7504-B

Supervisor Walsh explained that this is a Bill that prevents a certain kind of double dipping. If there is an accident and the employee is paid by a municipality or public entity then also paid by the insurance company, sometimes the insurance company will go back after the town to get the money back from the town to cover the cost. This will prevent that from happening and the town is no longer responsible.

Councilman Vetere asked that all we're doing is supporting this legislation.

Mrs. Walsh replied yes.

On motion of Councilman Cannella, seconded by Supervisor Walsh,

it was

RESOLVED to approve the adoption for a resolution in support of the Collateral Source Litigation currently before the State Senate as S6004 and State Assembly as A-7504-B.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None Copies to:

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FILED THIS
25th DAY OF
August 2009
Regina J. Scavelli, Deputy
 Town Clerk, Harrison, New York

August 6, 2009

2009 - - 311

APPROVAL TO SCHEDULE A PUBLIC HEARING ON SEPTEMBER 3, 2009
RE: LOCAL LAW NO. 3 OF 2009, "RESIDENCY REQUIREMENTS FOR
TOWN/VILLAGE OF HARRISON POLICE DEPARTMENT
AIDE/COURT ATTENDANT"

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Village Attorney Robert Paladino to schedule a Public Hearing on September 3, 2009 RE: Chapter 54 entitled "Residency Requirements for Town/Village of Harrison Police Department Aide/Court Attendant".

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

Adopted by the following vote:

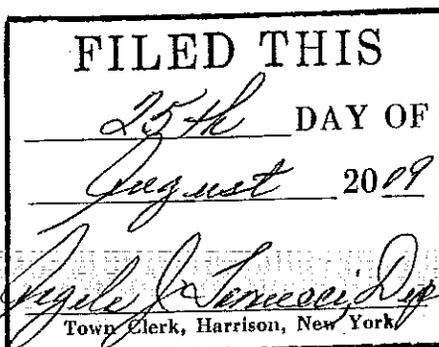
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



August 6, 2009

2009 - - 312

APPROVAL FOR AMENDMENT B TO THE NYS SNOW AND ICE AGREEMENT
FOR THE 2008/2009 SNOW SEASON. COST: \$27,173.92.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Commissioner of Public Works Robert Wasp for authorization for Amendment B to the NYS Snow and Ice Agreement for the 2008/2009 Snow Season. This Amendment, in the amount of \$27,173.92, will increase the amount of reimbursement received from New York State for the removal of snow on State-owned roadways from \$31,742 to \$58,915.92.

FURTHER RESOLVED to authorize the Supervisor to execute this Amendment.

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

Adopted by the following vote:

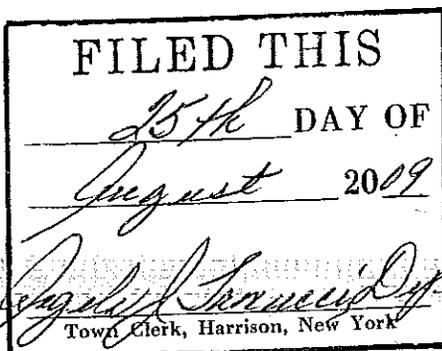
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



August 6, 2009

2009 - - 313

APPROVAL FOR BUDGET TRANSFERS FROM VARIOUS BUDGET LINES
TO BE TRANSFERRED TO CONTINGENCY

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization for the following budget transfers from various budget lines to be transferred to Contingency:

Decrease:

001-1220-100-0403 Supervisor-Office Supplies	107.00
001-1220-100-0430 Supervisor-Printing and Stationary	1000.00
001-1220-100-0417 Supervisor-Postage	1000.00
001-1315-100-0403 Comptroller-Office Supplies	700.00
001-1315-100-0430 Comptroller-Printing and Stationary	250.00
001-1315-100-0445 Comptroller-Books and Publications	94.00
001-1330-100-0403 Receiver of Taxes-Office Supplies	192.00
001-1330-100-0433 Receiver of Taxes-Memberships/Dues	25.00

001-1345-100- 0403 Purchasing-Office Supplies	4000.00
001-1355-100- 0403 Assessor-Office Supplies	300.00
001-1355-100- 0407 Assessor-Special Services	4426.00
001-1355-100- 0481 Assessor-Mapping Program	2000.00
001-1355-100- 0415 Assessor- Schooling	500.00
001-1355-100- 0423 Assessor-Uniforms	150.00
001-1355-100- 0433 Assessor-Memberships/Dues	200.00
001-1355-100- 0445 Assessor-Books and Publications	150.00
001-1410-100- 0407 Town Clerk-Special Services	9000.00
001-1420-100- 0445 Law-Books and Publications	1000.00
001-1440-100- 0403 Engineering-Office Supplies	200.00
001-1440-100- 0415 Engineering-Schooling	2500.00
001-1440-100- 0423 Engineering-	300.00

Uniforms

001-1440-100-0430	500.00
Engineering-Printing and Stationary	
001-1490-100-0403	250.00
Public Works-Office Supplies	
001-1620-100-0423	800.00
General Town Buildings-Uniforms	
001-1620-100-0470	3000.00
General Town Buildings-Gasoline	
001-1640-100-0415	1000.00
Central Garage-Schooling	
001-1640-100-0423	129.00
Central Garage-Uniforms	
001-1640-100-0479	1000.00
Central Garage-Auto Body	
001-1680-100-0403	1000.00
Central Data Processing-Office Supplies	
001-1680-100-0433	1000.00
Central Data Processing-Membership/Dues	
001-3120-100-0410	3000.00
Police-Material and Supplies	
001-3120-100-0451	1000.00
Police-Books, Serials, Periodical	
001-3120-100-0470	5000.00
Police-Gasoline	
001-3120-100-0491	300.00
Police-School Resource Off. Prog	

001-3125-100- 0403 Youth Forum-Office Supplies	500.00
001-3310-100- 0410 Traffic-Materials and Supplies	2000.00
001-3420-100- 0410 Fire Inspection-Materials and Supplies	800.00
001-3420-100- 0415 Fire Inspection-Schooling	680.00
001-3420-100- 0430 Fire Inspection-Printing and Stationary	464.00
001-3420-100- 0433 Fire Inspection-Memberships/Dues	185.00
001-3420-100- 0445 Fire Inspection-Books and Publications	2500.00
001-3420-100- 0409 Fire Inspection-Computer Exp/Ser/Training	1000.00
001-3620-100- 0403 Building-Office Supplies	750.00
001-3620-100- 0415 Building-Schooling	1100.00
001-3620-100- 0430 Building-Printing and Stationary	400.00
001-3620-100- 0445 Building-Books and Publications	750.00
001-3620-100- 0470 Building-Gasoline	2000.00
001-4540-100-	1000.00

0472	
Volunteer Ambulance Corps-Diesel Fuel	
001-5182-100-0410	1928.00
Street Lighting-Materials and Supplies	
001-5182-100-0415	500.00
Street Lighting-Schooling	
001-5182-100-0419	1500.00
Street Lighting-Electric	
001-7020-100-0403	1000.00
Recreation-Office Supplies	
001-7020-100-0410	500.00
Recreation-Materials and Supplies	
001-7020-100-0436	380.00
Recreation-Insurance Premiums	
001-7020-100-0446	767.00
Recreation-Joint Recreation Program	
001-7020-100-0470	800.00
Recreation-Gasoline	
001-7140-100-0402	1000.00
Parks and Playground-Equip. Mtce. & Repairs	
001-7140-100-0405	1000.00
Parks and Playground-Care of Grounds	
001-7140-100-0410	1500.00
Parks and Playground-Materials and Supplies	
001-7140-100-0423	600.00
Parks and Playground-Uniforms	

003-5110-100-
0472 10,000.00
Highway-Diesel
Fuel

003-5130-100-
0402 3000.00
Highway Machinery-Equip. Mtce. & Repairs

Total 21,500.00

Increase:

003-5110-100-
0490 21,500.00
Highway-Contingency

Total 21,500.00

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

Adopted by the following vote:

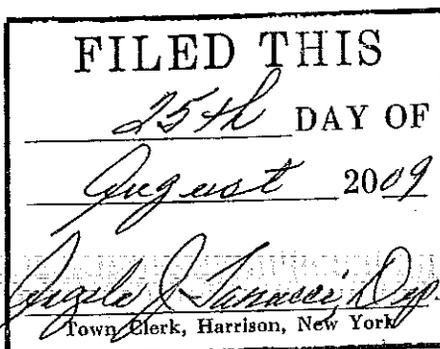
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



August 6, 2009

2009 -- 314 -- a

APPROVAL FOR THE DIRECTOR OF COMMUNITY SERVICES TO
ACCEPT THE HPNAP FOOD GRANT AWARD, IN THE AMOUNT OF \$2,100.

Councilman Cannella complimented Nina Marraccini, Director of Community Services, stating what a great job she's been doing over the course of this past year in getting money for the Food Pantry.

Supervisor Walsh stated that the number of families using the food pantry has increased.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept the HPNAP Food Grant Award in the amount of \$2,100 for the Harrison Food Pantry.

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

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
25th DAY OF
August 20*09*
Angela Scappaticci Deputy
 Town Clerk, Harrison, New York

Nina Marraccini
 Director of Community Services

August 6, 2009

2009 - - 314 - - b

APPROVAL FOR THE DIRECTOR OF COMMUNITY SERVICES TO
ACCEPT A FEMA ARRA GRANT, IN THE AMOUNT OF \$500.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept a FEMA ARRA Food Grant in the amount of \$500, to be used as a line of credit at Food Bank for Westchester for the Harrison Food Pantry.

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

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
- Supys'r

FILED THIS
25th DAY OF
August 2009
Angela J. Sanucci Deputy
 Town Clerk, Harrison, New York

Director of Community Services

August 6, 2009

2009 - - 315

APPROVAL TO SET THE DATE OF SEPTEMBER 3, 3009 FOR A
PUBLIC HEARING RE: REVISION TO §146-3.2.
ADOPTION OF THE AMENDMENT TO CHAPTER 146 OF THE TOWN CODE

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Town Attorney Frank Allegretti to set the date of September 3, 2009 for a Public Hearing for the Adoption of the Amendment to Chapter 146 of the Town Code, Flood Damage Protection, to Local Law No. ___ of 2009.

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

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
25th DAY OF
August 20*09*
Angela J. Scavini Deputy
 Town Clerk, Harrison, New York

August 6, 2009

2009 -- 316

APPROVAL TO PLACE A BANNER FOR CEREBRAL PALSY OF WESTCHESTER
AT THE INTERSECTION OF PURCHASE STREET AND ANDERSON HILL ROAD

On motion of Councilman Cannella, seconded by Scappaticci,

it was

RESOLVED to approve the request by Stephanie Russo, Associate Executive Director for Cerebral Palsy, to place a banner (4'X20'), for The Designer Showcase of Westchester, at the intersection of Purchase Street and Anderson Hill Road. The event will take place at 11 Sarocosa Farm Lane, Purchase, NY, from October 1st through November 8, 2009.

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

Adopted by the following vote:

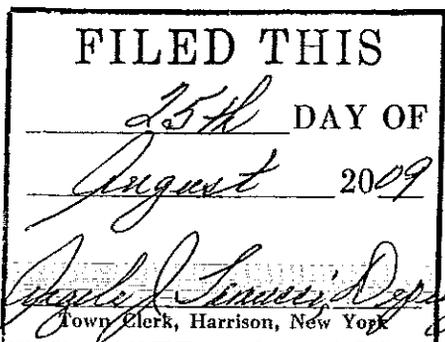
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



August 6, 2009

2009 - - 317

APPROVAL FOR THE APPORTIONMENT OF ASSESSED VALUATION OF LOT 28 (28-29-30), Block 825 ON THE 2009 ASSESSMENT ROLL (TAXES OF 2010)

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Assessor James Calandruccio for the apportionment of assessed valuation of Lot 28 (28-29-30), Block 825 on the 2009 Assessment Roll (Taxes of 2010). A&R Agovino Enterprises, Inc., would like to have the aforementioned parcel apportioned into two (2) parcels in accordance with the attached map entitled "Site Plan/Unit Floor Plan of Elmwood Condominiums, 11 Elmwood Avenue, West Harrison, NY, Town of Harrison, Westchester County, New York" which was filed in the County Clerk's Office of Westchester County on June 16, 2009 as Map Number 28239. **NOTE:** This is for TAX PURPOSES ONLY. The Building will still be assessed as a two (2) family home. The owner has received Condominium approval from the State Attorney's Office; therefore the Assessor's office is required to separately assess each unit, along with the land portion.

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

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
- Reer'tn
- Supvs'r

FILED THIS
25th DAY OF
August 2009
Angelo Scappaticci Deputy
 Town Clerk, Harrison, New York

Received by Super

August 6, 2009

2009 - - 318

APPROVAL TO SET THE DATE OF SEPTEMBER 3, 2009 FOR
A PUBLIC HEARING RE: AN AMENDED SPECIAL EXCEPTION USE PERMIT
FOR THE SCHOOL OF THE HOLY CHILD, TO CONSTRUCT SPECTATOR
BLEACHERS AND ASSOCIATED PATHS AT ITS COMBINATION SOCCER,
FIELD HOCKEY, AND LACROSSE ON ITS EXISTING CAMPUS LAND.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Mark Miller, Attorney with the firm of Veneziano & Associates on behalf of their client, the School of the Holy Child to set the date of September 3, 2009 for a Public Hearing RE: An Amended Special Exception Use Permit to construct spectator bleachers and associated paths at its combination soccer, field hockey and lacrosse on its existing campus land.

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

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

Mr. Miller

FILED THIS
25th DAY OF
August 20*09*
[Signature]
 Town Clerk, Harrison, New York

August 6, 2009

2009 - - 319

AUTHORIZATION FOR CHANGE ORDER #1 TO THE CONTRACT WITH VERNON HILLS CONTRACTING FOR ADDITIONAL WORK TO THE MEADOW LANE STORMWATER DISTRICT.
COST NOT TO EXCEED \$32,920.

Supervisor Walsh explained that this is a Stormwater District and the residents are paying to correct the stormwater problem on Meadow Lane.

Councilman Cannella made the motion with the addition of increasing the upset limit from \$303,375 \$336,295.

Comptroller Maureen MacKenzie requested to also have this adopted in the Village since it's bonded money.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Commissioner of Public Works Robert Wasp for authorization for Change Order #1 to the contract with Vernon Hills Contracting for additional work to the Meadow Lane Stormwater District in an amount not to exceed \$32,920, for the following:

1. The removal and disposal of an additional 540 cubic yards of excess soils from the pond located on the Garfield property.
2. The removal and disposal of an additional 250 cubic yards of material from Meadow Lane.

FURTHER RESOLVED to authorize the Law Department to prepare the amendment and to increase the upset limit for this contract from \$303,375 to \$336,295. This cost will be paid by the Meadow Lane Stormwater District.

FURTHER RESOLVED that funding is available in Capital Account #09DR01.

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

Adopted by the following vote:

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

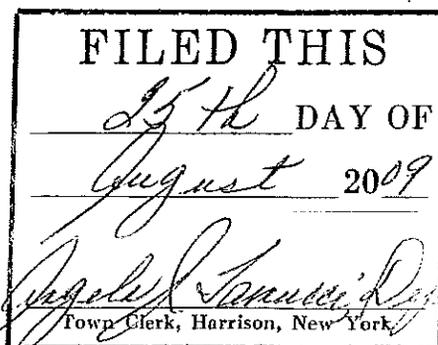
NAYS: None

ABSENT: None

This Resolution was also adopted in the Village.

Copies to:

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



August 6, 2009

2009 - - 320

AUTHORIZATION FOR AMENDMENT #3 TO THE CONTRACT WITH
JOHN MEYER CONSULTING FOR WORK RELATED TO THE PREPARATION
AND SUBMISSION OF OLD ORCHARD STREET SUBDIVISION APPLICATION.
COST: \$93,350.

On motion of Councilman Sciliano, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Acting Town Engineer Robert Wasp for authorization for Amendment #3 to the contract with John Meyer Consulting for work related to the preparation and submission of the Old Orchard Street Subdivision Application, at a cost not to exceed \$93,350.

FURTHER RESOLVED that a fee will be determined for the Final Subdivision Plat Drawings.

FURTHER RESOLVED to authorize the Law Department to increase the upset limit of this contract from \$38,000 to \$131,350.

FURTHER RESOLVED that funding is to come from Contingency with the understanding that when the land is sold the money is put back into Contingency.

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

Adopted by the following vote:

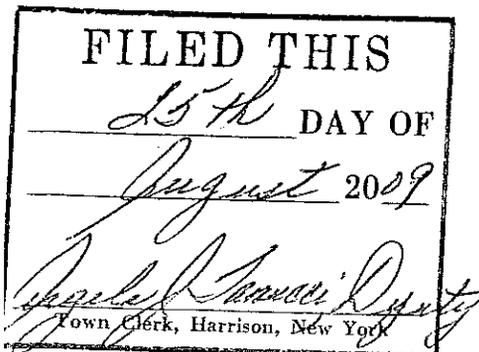
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



August 6, 2009

2009 - - 321

AUTHORIZATION FOR THE COMPTROLLER TO PAY THE INVOICE
RE: SHIPPING CHARGES FOR CARTS FOR THE HARRISON FOOD PANTRY

Director of Community Services Nina Marraccini notified the Board explaining that the check that was received from the Food Bank for Westchester to purchase shopping carts did not include the additional shipping charge of \$106.60.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization for the Comptroller to pay the invoice for shipping charges in the amount of \$106.60 for shopping carts for the Harrison Food Pantry.

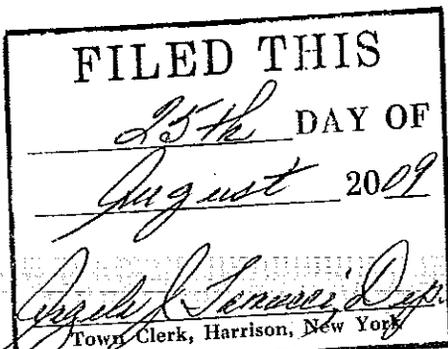
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Director of Community Services.

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



Nina Marraccini
Director of Community Services

August 6, 2009

2009 - - 322

APPROVAL FOR AL DENTE RESTAURANT AND POWELL'S CLAM BAR TO HOLD A SERIES EVENT "DINING UNDERNEATH THE STARS WITH MUSIC"

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Anthony DelFino, owner of Al Dente Restaurant, and for Powell's Clam Bar to create a series event called "Dining Underneath the Stars with Music" on the following Thursday evenings:

August 20th, August 27th, September 3rd and September 10th.

FURTHER RESOLVED that Thatcher Avenue (located in between Al Dente Restaurant and Powell's Clam Bar) be closed.

FURTHER RESOLVED that approval is subject to the Law Department determining whether or not they need a Cabaret License.

FURTHER RESOLVED that Certificates of Insurance to follow.

FURTHER RESOLVED that according to the Noise Ordinance, re: Music, closing time will be 10:00 PM.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department and Mr. Del Fino.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

NOTE: Cabaret License is not required. Special Events Permit issued.

Copies to:

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

FILED THIS

25th DAY OF

August 2009

Angelo Scappaticci Deputy

W. DelFino

August 6, 2009

2009 - - 323

APPROVAL FOR A SPECIAL EXCEPTION USE PERMIT TO CONSTRUCT A
NEW BUILDING TO INCLUDE RESIDENTIAL USES AT
SEVILLE PLAZA, 55-33 CALVERT STREET

Attorney Seth Mandelbaum spoke on behalf of his client Stephen Carnavalle. This is PB zone and mixed use project with parking underneath the building.

Councilman Cannella stated that he and Councilman Sciliano made two site visits and met the applicant at the site. Fire Marshal Steve Surace brought in a fire truck and with wires being placed underground there would be no problem maneuvering the truck.

Councilman Sciliano reviewed with Mark of the NYS Fire Prevention office dealing with the D105, aerial apparatus and access roads, by Mr. Carnavalle burying the wires to allow access on one side of the building, the aerial truck can operate and meets the code that Fire Marshal Surace brought to the Board's attention. Mr. Surace is in agreement with it.

Lucille Held stated that at meetings there was a request by Mr. Carnavalle's law firm that we sign over to them the piece of property that is on the left, that they needed, what happened with that.

Councilman Cannella responded that's not happening.

Mrs. Held asked if that's not happening then they can't do what they're doing.

Mr. Cannella responded that the issue that's being talked about is access to the building. The applicant had requested that the town either grant a license or some kind of an easement to allow access to the building from the parking lot that the town owns on Calvert Street that is part of the train station parking lot and there is a reluctance to do that. The conclusion was reached after considerable examination that the building is accessible to having a truck go down the back, but the wires need to be submerged.

Mrs. Held asked if there any possibility that the 65x50 building is not going to become part of their building.

Mr. Cannella replied that whatever the dimensions are the answer is no.

Mrs. Held then inquired as to whether this is a two or three story building.

Mr. Mandelbaum responded that it's a three story building with parking underneath.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Attorney Seth Mandelbaum for authorization for his client Stephen Carnavalle to construct a new building to include residential uses at Seville Plaza, 55-33 Calvert Street.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Building Inspector, the Town Attorneys and Mr. Mandelbaum.

Adopted by the following vote:

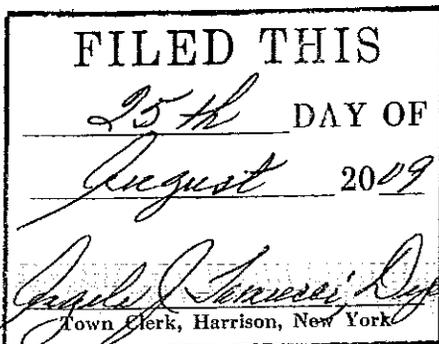
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



Mr. Mandelbaum

August 6, 2009

2009 - - 324

DISCUSSION: RE: FISHING IN SILVER LAKE

Mr. LaFont, a resident of Silver Lake proposed that the Silver Lake area be for fishing, restricting the area to bottom feeders. Also, the fishermen would like to have a place near the park, on the south-side of the pump house, to secure row boats. The fishermen would have a ramp built without any cost to the Town.

Supervisor Walsh asked Mr. LaFont if he meant that the fishermen would anchor their boats there all the time or bring them back and forth each day.

Mr. LaFont explained that there's a gate right at the fence, and they could use that gate as access to the boats and leave the boats locked up.

Mrs. Walsh asked how many boats was he talking about.

Mr. LaFont replied probably three or four boats.

Supervisor Walsh stated that Mr. LaFont had explained to her that these are men who have been fishing in Silver Lake all their lives.

Mr. LaFont stated that the fishermen have a "catch and release" program and they abide by all the rules and regulations of the NYS DEC. They always wear life jackets.

Mrs. Walsh explained all of this to Superintendent of Recreation Ron Belmont.

Mr. Belmont responded saying he thinks it's a wonderful idea. But, what about enforcing fly fishing, and carp fishing. Maybe we could have someone there early in the morning or late in the afternoon and they would have access to the lake.

Councilman Vetere asked what if the people in White Plains want to do the same thing, would we conflict with each other.

Mrs. Walsh replied that do not have control over that.

Mr. LaFont responded that White Plains has there own rules and regulations. He doesn't know if White Plains would allow anyone to go past their property. Even if they do, people are required to have a license to fish.

Mrs. Walsh asked if there is a way of anchoring a boat without a dock and if so try that way for several months and if it works out have a dock built at a later date.

Mr. LaFont replied, sure, the only time the boats would be locked up would be in the winter.

Deputy Village Attorney Jonathan Kraut requested to make a suggestion, there are two issues, one, do you want to open the Lake up to fishing, and the sub part is if you want to open it up to fishing, only from boats or shore fishers.

Councilman Cannella asked that if the Town authorized the construction of a dock and some one were to get hurt.

Mr. Kraut interrupted saying he was getting to that, that the second part has to do with the whole boating, private boating as well as storage of boats on Town property. That would necessitate some permitting or licensing by the Town with some form of indemnification by the owners of the boats, and some rules and regulations. If you want to consider this it should be referred to Commissioner Wasp and Mr. Belmont. The construction of the dock needs to be carefully reviewed by the Engineering Department and the Law Department would have to look at some of the liability issues.

Mr. LaFont responded that they don't really need a dock. Their boats are only twelve feet.

Supervisor Walsh asked: that up to this summer had the men been fishing there all the time.

Mr. LaFont responded that he's been fishing there since he's ten years old and he's now seventy nine. The fishermen fished there last summer with no problems.

Mr. Cannella asked if there was a particular time frame.

Mr. LaFont replied that the Town could set the times. Most of the time the men fish around 8 or 9 am and are off the lake by 1 pm.

Mr. Cannella suggested Mr. LaFont speak to Mr. Belmont.

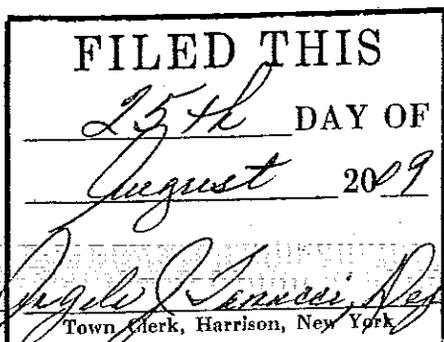
Councilman Scappaticci asked if he fishes at the reservoir.

Mr. LaFont replied, yes.

It was decided that Mr. LaFont and Mr. Belmont would discuss the matter and return to the Board later this evening.

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- Supvs't



August 6, 2009

2009 - - 325

ACCEPTANCE OF REPORT BY JOHN CALLAHAN
RE: THE HARRISON POLICE DEPARTMENT

Mr. John Callahan explained that he was retained by the Board in September of 2008 regarding citizen complaints made against the Harrison Police Department. Mr. Callahan spoke to about forty five (45) people and to the District Attorneys office. He received full cooperation from Chief of Police David Hall, who gave him access to any records that were requested. Any complaints against Chief Hall were unfounded. No allegations of any nature were found. His internal investigation was satisfactory. Mr. Callahan did not find any misconduct or allegations against anyone active officer. Some allegations that were made were simply where police procedure was not understood. The allegations of rudeness or excessive force, is one person's word against another, going back ten (10) years. Mr. Callahan explained that this all started because of law suits, which to present have been dismissed. He completed his report by saying that there are no areas of concern.

Mr. Ralph Tancredi asked for a definition of unfounded.

Mr. Callahan responded by saying, did not in fact occur.

Mr. Tancredi asked why his status was changed.

Town Attorney Frank Allegretti advised the Board not to discuss this with Mr. Tancredi. There is a disciplinary proceeding pending with Mr. Tancredi that are not over and he's a plaintiff in multiple lawsuits against the Town.

Mr. Tancredi went on to say that he's running against Chief Hall in the primary. He then asked, what point is his disciplinary hearings at.

Councilman Cannella and Supervisor Walsh advised Mr. Tancredi to speak to his attorney.

Mr. Tancredi went on to ask which attorney. My PBA attorney?

Mr. Allegretti responded Mr. Lovett.

Mr. Tancredi then asked if Mr. Allegretti was clearing Mr. Lovett for payment from the PBA.

Supervisor Walsh responded saying that this is not the proper forum for that question, and he should speak to his attorney.

Mr. Tancredi asked: which lawyer.

Town Attorney Frank Allegretti repeated that the Board should not answer any more questions.

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FILED THIS
 23rd
 DAY OF
 August 2009

Frank Allegretti, Deputy

August 6, 2009

2009 - - 326

REMARKS BY RESIDENT LUCILLE HELD

Lucille Held stated that she has lived in Town of Harrison for fifty years and has been aware of one suit previously against the town. Suddenly we have the situation that the Police Department is being sued. She adds that she has nothing against the Police Department and that in every organization there are some people do not behave the way they're suppose to behave. Don't say that in total everybody is an angel. She adds that she's had no experience with the police and has every respect for them, they always have served her with respect. When Mrs. Held was on duty at the last election, some residents went to her and commented to her about the police saying that they would not sign a paper because they were afraid. Mrs. Held goes on to say that she believes the report, and the effort, and sees no advantage to go through the report.

Supervisor Walsh interrupted saying that she had purchased a timer and the First of the Year Resolution's say that residents have five minutes to speak. She granted Mrs. Held another four minutes.

Mrs. Held stated that she personally thanked the Fire Department for giving back 35 hours of their pay to help the Town out of this disaster. She also thanked Supervisor Walsh for her contribution of \$12,000, and expressed her thanks to the school children who saved the Town \$3,000 by painting the banners that are on the poles rather than the Town buying and watering flowers.

Supervisor Walsh stated that Mrs. Held personally paid for the banners.

Mrs. Held stated that as of December, 2009 the Town will be \$6,000,000 in deficit. If the economy doesn't heal or the Town doesn't sell property we (the residents) will be in for a double digit tax increase. There is no gain to the Town or personal gain to the Mayor, to sell property, but, in the Mayor's attempt for the security for the Harrison residents she (the Mayor) is trying to sell property, in this case, it's for our survival, she has no choice. The Malfitano administration had \$12,000,000 in capital and \$4,000,000 worth of property that was spent and sold. When the new Mayor took office the Town was defunct.

Liberty asked: could there be a Town meeting on the proposed health care.

Supervisor Walsh responded, no. The Health Care issue is a federal program not a local program. Mrs. Walsh invited Liberty to visit with her and she would call Congresswoman Nita Lowey and ask if she would attend a meeting to address the Harrison residents.

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FILED THIS

25th DAY OF

August 2009

Angelo J. Tavecchio, Deputy
Town Clerk, Harrison, New York

August 6, 2009

2009 - - 327

COMMENTS BY CHIEF OF POLICE DAVID HALL

Chief of Police David Hall asked to address the Board regarding the Callahan report, saying that Mr. Callahan spent nine months investigating the department as he stated the Chief gave him all necessary and requested documents. There is not a police chief that wants a bad cop. He further stated that you (Supervisor Walsh) stated that you had received written and verbal compliments.

Supervisor Walsh interrupted saying she had verbal complaints not written.

Chief Hall went on to say that when they do investigations on complaints, they do a thorough investigation and time is taken from officers if he (Chief Hall) deems it necessary, sometimes its verbal reprimand, rip days (take days away), sometimes weeks, and if they're serious or they continue on a part of misbehavior they're brought before the Town Board which recently happened. He went on to say that he does not want a bad cop out there. Every article you (Supervisor Walsh) wrote in the Report made mention that if residents have any complaints against the police department to contact Mr. Callahan.

Supervisor Walsh interrupted saying maybe five times.

The Chief stated that he was not opposed to this investigation and his suggestion to the Board was that it could be done by a federal agency at no cost to the town. Mr. Hall believes that having a federal agency would have taken less time. All but two lawsuits have been settled and all have been filed by the same attorney, Mr. Jonathan Lovett. He believes that the entire Board including the Supervisor owes the police department and himself an apology.

Councilman Sciliano replied that he will not apologize to the Chief or the Police Department because we (the Board) responded to complaints and was confident that it would turn out the way it did.

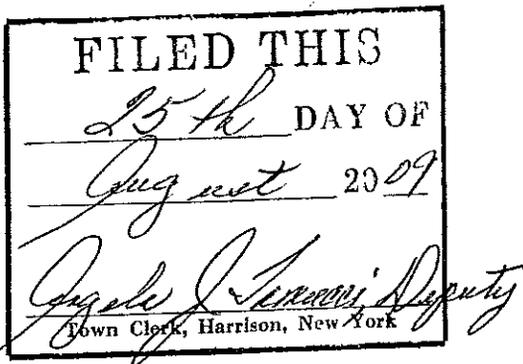
Councilman Cannella replied that the Board took a reasonable approach and was not surprised by the outcome. He said he was thrilled by the outcome for the Chief and for the police officers. Mr. Cannella understands that the Chief is displeased but there is absolute vindication of the Police Department. It's time to turn the page and move forward.

Chief Hall replied that maybe not an apology but congratulations. The Mayor was told by the accreditor's that she has an outstanding police department as did Mr. Callahan.

Supervisor Walsh replied that she is not sorry they had the investigation, it has cleared rumors that went all over town, and that officer should be able to put all of it behind him and know that it was not poor judgment or poor action on his part. She went on to say that she was pleased that the Accreditation Board gave accreditation to the Harrison Police Department. Mrs. Walsh explained that when she took office one of the first things she asked for was the accreditation process to get completed, it had been going on for a number of years and she wanted it completed. Her directive to the Chief was that it should be finished. It's a lengthy process but it established an absolute set of set standards for the department. The officers who did the investigation said that 90% of the department followed those regulations, yes in many instances we do have a very outstanding police department and she (the mayor) is very, very proud of the men who are in it. But still thinks it was the right thing to have the investigation and congratulations for the good report.

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The Supervisor now returned to the Towing Policy

August 6, 2009

2009 - - 328
TOWING POLICY

Deputy Attorney Jonathan Kraut stated that this is the companion document to the Local Law that was adopted earlier this evening. He received a couple of limited comments and the Mayor's comments are incorporated in it.

Councilman Vetere stated that people in town that are doing the towing did not come in to defend themselves.

Councilman Sciliano responded that he was approached by some of them. He has also been speaking with the police department.

Mr. Kraut responded that he has been contacted by Spano, United and Pro-line towing, who each shared thoughts regarding the towing policy and Sgt. Olsey has also been in touch with them. The rotational duty tow policy as it's presently presented gives structure that presently does not exist. It also sets a fee schedule, because in this circumstance they don't have to ask to be put on the rotational duty tow list, but if they do they're accepting those rates and it gives the Town Board greater control over that.

Councilman Cannella responded that they have worn this out.

Mr. Kraut recommended that the Board adopt it and give the police department a period of time of a month to implement it.

Mr. Cannella responded by saying if the police need more time then we'll extend it.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the Rotational Towing Policy effective September 1, 2009.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

FILED THIS
25th DAY OF
August 2009
Angela Cannella, Deputy
Town Clerk, Harrison, New York

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- Recr'tn
- Supvs'r
- Sgt. Olsey

August 6, 2009

2009 - - 329

CONTINUATION OF THE DISCUSSION RE: FISHING AT SILVER LAKE

Mr. LaFont and Mr. Belmont had met together earlier this evening to discuss docking the boats and fishing at Silver Lake. Mr. Belmont, Superintendent of Recreation explained that there are some things that have to be settled. The men are 75 to 85 years of age and are in good health. Does the Board want a permitting structure for one year.

Councilman Cannella asked how would you like to handle this in the interim.

Mr. Belmont replied let them fish.

Attorney Kraut responded that he thought there had been a resolution to stop the fishing at Silver Lake. That resolution would have to be amended.

Councilman Scappaticci said the reason we set forth a resolution is because we put carp in the Lake and the carp will be fished out.

Councilman Cannella said lets leave it for the time being to Mr. Belmont.

Councilman Scappaticci said to give them a free pass but the fishermen have to be licensed.

Supervisor Walsh said we have a motion to resume the fishing but the fishermen should receive a free pass.

Mr. Kraut replied pass it with a sunset date and Mr. Belmont can put into play something more detailed.

Councilman Scappaticci set the date for October 1, 2009, stating the fishermen are to wear their licenses around their necks.

Mr. Kraut recommended an indemnification agreement.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to allow fishing at the Lake.

FURTHER RESOLVED that the Superintendent of Recreation issue a free pass to those

fishing at Silver Lake.

FURTHER RESOLVED that the license be worn around the fishermen's neck.

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

Adopted by the following vote:

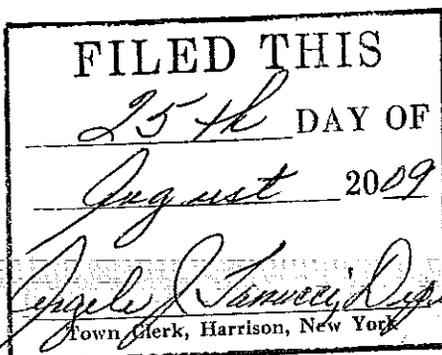
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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August 6, 2009

2009 - - 330

MATTERS FOR EXECUTIVE SESSION

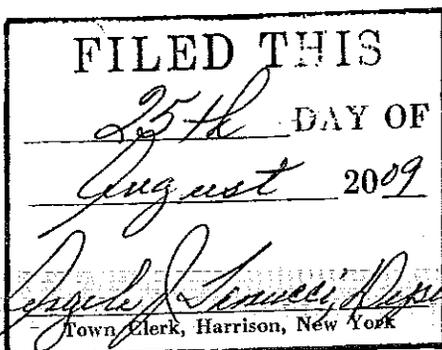
Personnel	3
Litigation	4
Advice of counsel	2
Sale of land	2
Settlement of claim	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for
Executive Session at 9:30 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was re-convened at 11:23 PM.

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August 6, 2009

2009 - - 331
SETTLEMENT OF CLAIM
RE: OESTREICHER v. TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Sciliano,

it was

RESOLVED to authorize the settlement of claim in the matter of Oestreicher v. Town of Harrison up to the amount of \$1,890.

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

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

Adopted by the following vote:

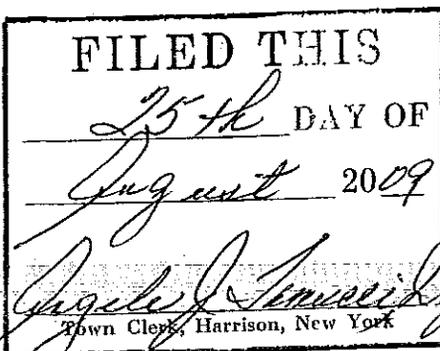
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 6, 2009

2009 - - 332

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES TO \$75,000
IN THE MATTER OF CARILLO v. TOWN OF HARRISON

On motion of Councilman Sciliano, seconded by Councilman Cannella,

it was

RESOLVED to raise the cap on legal fees in the matter of Carillo v. Town of Harrison to \$75,000.

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

Adopted by the following vote:

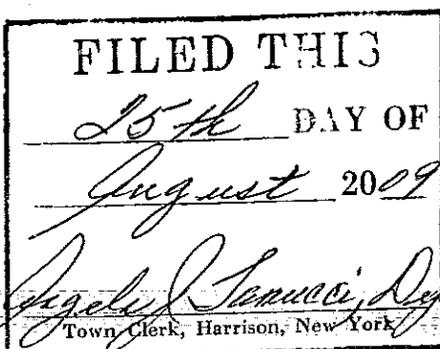
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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✓ Supvs'r



August 6, 2009

2009 - - 333

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES TO \$125,000
IN THE MATTER OF DUFFELMEYER v. HALL

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to raise the cap on legal fees in the matter of Duffelmeyer v. Hall to \$75,000.

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

Adopted by the following vote:

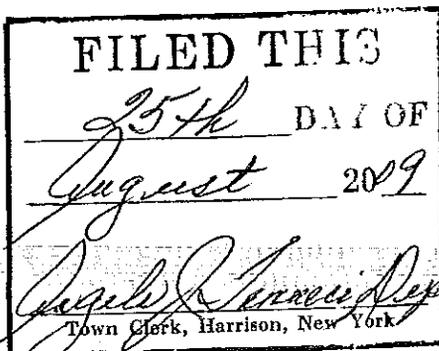
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 6, 2009

2009 - - 334

AUTHORIZATION FOR THE SALE OF A PAPER STREET
ADJACENT TO 1 YARMOUTH ROAD, PURCHASE, NY.
IN THE AMOUNT OF \$24,000

On motion of Councilman Sciliano, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the sale of a paper street adjacent to 1 Yarmouth Road, Purchase, NY, in the amount of \$24,000, subject to permissive referendum.

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

Adopted by the following vote:

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

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- Purch'g
- Recr'tn
- Supervisor

FILED THIS
 25th DAY OF
 August 2009
 Angela J. Tomasi, Deputy
 Town Clerk, Harrison, New York

August 6, 2009

2009 - - 335

AUTHORIZATION TO SELL A PARCEL OF PROPERTY TO MR. SAGES
BLOCK 691, LOT 172.1 FOR THE AMOUNT OF \$20,000.

On motion of Councilman Sciliano, seconded by Comptroller Scappaticci,

it was

RESOLVED to sell a parcel of property to Mr. Sages, Block 691, Lot 172.1, for the amount of \$20,000, subject to permissive referendum.

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

Adopted by the following vote:

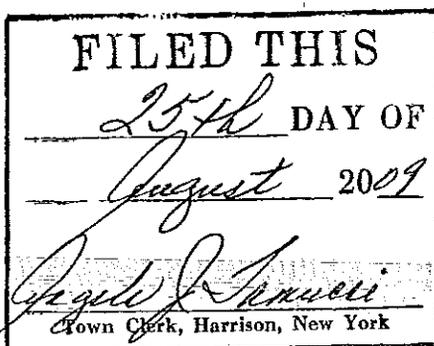
AYES: Councilmen Cannella, Scappaticci, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 6, 2009

2009 - - 336

AUTHORIZATION FOR THE SUPERVISOR TO OFFER A
RETIREMENT INCENTIVE PROGRAM TO ELIGIBLE EMPLOYEES AS
DISCUSSED IN EXECUTIVE SESSION

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to authorize the Supervisor to offer a Retirement Incentive Program to eligible employees as discussed in executive session.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 11:25 PM.

Respectfully submitted,

Angela J. Tamucci
Deputy Town Clerk

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