

March 4, 2010

A regular Meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 4th day of March, 2010 at 7:30 PM, Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

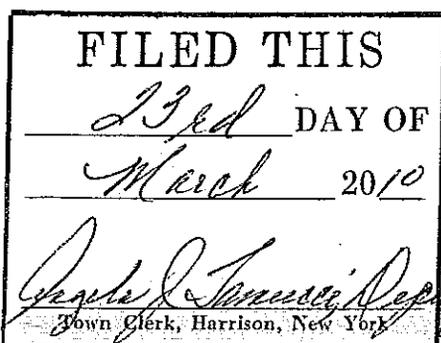
Joan B. Walsh ..... Supervisor  
Joseph Cannella        )  
Fred Sciliano         ) ..... Councilpersons  
Patrick Vetere         )  
Marlane Amelio        )

ALSO ATTENDING:

Frank Allegretti ..... Town Attorney  
Robert Paladino ..... Village Attorney  
Jonathan Kraut ..... Deputy Village Attorney  
Robert FitzSimmons ..... Building Inspector  
Anthony Marraccini ..... Acting Chief of Police/Captain, HPD  
Anthony Robinson ..... Acting Commissioner of Public Works  
Michael Amodeo ..... Acting Town Engineer  
Ron Belmont ..... Superintendent of Recreation

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March 4, 2010

2010 -- 078 -- a

ANNOUNCEMENT BY SUPERVISOR JOAN B. WALSH RE: THE CENSUS

Supervisor Joan Walsh stated that the U.S. Census forms will be mailed out during the month of March. There are ten (10) questions the residents will be asked to answer and mail the form back. The Census Bureau is hiring throughout the country and is looking for Harrison residents to take the test and perform the follow up for Harrison. A test for the residents is scheduled for Monday, March 8, 2010 from 6 pm to 8:30 pm. If you would like to register the phone number is 914-705-5290. The Census is paying \$18-\$20 per hour.

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FILED THIS  
*3rd* DAY OF  
*March* 2010  
*Regina J. Tanassi, Deputy*  
Town Clerk, Harrison, New York

March 4, 2010

2010 -- 078 -- b

REMARKS BY SUPERVISOR JOAN B. WALSH

Supervisor Joan B. Walsh read a letter from Cablevision concerning the announcement by Disney Corporation, the owner of ABC that it intends to withdraw WABC-TV from Cablevision subscribers at 12:01 AM on March 7 if Disney and Cablevision have not finalized an agreement allowing Cablevision to continue to transmit WABC-TV. Cablevision is currently paying Disney more than \$200 million per year and is now demanding an additional \$40 million for the same programming.

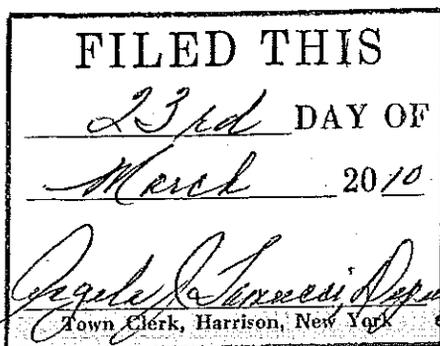
Alfred Menna wanted to know if Harrison residents could switch to another franchise and who should he contact.

Supervisor Walsh stated that several months ago, along with other communities, hired an auditor to look into all of Cablevision's finances and to be sure that Harrison is being paid the correct amount of franchise fees. Last year Harrison received \$475,000 and is approximately a couple of months away before it being finalized.

Mr. Menna stated that he left a comment on ABC and Harrison has no other franchise to switch to.

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March 4, 2010

2010 - - 079

LETTER OF ACCOMMODATION RE: ACTING CHIEF OF POLICE/CAPTAIN  
ANTHONY MARRACCINI AND THE HARRISON POLICE DEPARTMENT

Supervisor Joan Walsh read the following letter of accommodation from Dr. Molly Easo Smith, President of Manhattanville College RE: The Harrison Police Department under the leadership of Captain Anthony Marraccini.

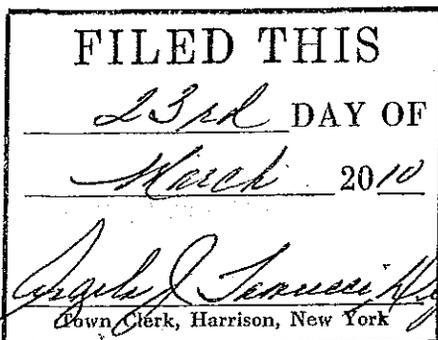
On behalf of Manhattanville College, I would like to acknowledge the professionalism shown by the Harrison Police Department under the leadership of Captain Anthony Marraccini during the last week's tragedy on our campus. Captain Marraccini's expertise and swift-decision making allowed us to reassure our community that we had experienced an isolated crime.

Throughout the ordeal, we were kept apprised of developing events, as appropriate; I personally had several conversations with Captain Marraccini during these developments and much appreciated his attention to the safety and welfare of our community. Furthermore, his expertise and know-how relieved the considerable stress placed on our students and parents, which arose in part due to unnecessary speculations and hype generated by an over-ardent press. I am pleased to say that immediately after Captain Marraccini's press conference, inquiries from students and their parents subsided, and support and sympathy with the College community increased.

Over the years, Manhattanville College has received support and cooperation from the Harrison Police Department. Though the circumstances which bring us into partnership are rarely pleasurable, we appreciate the professionalism, efficiency, courtesy, and support provided by the Harrison Police Department and look forward to working together as circumstances arise hereafter. We are especially grateful for Captain Marraccini's guidance on issues on which the work of his Department intersects with the welfare of the Manhattanville community.

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March 4, 2010

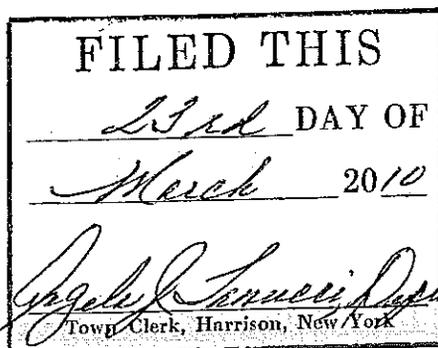
2010 - - 080

ACCEPTANCE OF A DONATION BY THE HARRISON ASSOCIATION OF TEACHERS  
IN THE AMOUNT OF \$4,000 FOR THE HARRISON FOOD PANTRY

The Director of Community Services Nina Marraccini introduced Angela Ader, Charity Public Relations person for the HAT. Ms. Ader introduced Karen Magee, president and Rosita McNamara, secretary. They presented a check to Nina and the Food Pantry, explaining that the organization does a back pack for students returning back to school and they also participate in regular monthly food drives. They were very surprised to find out that the amount of families in Harrison using the food pantry has doubled this year. The HAT went to their members requesting they be more generous than usual and they were. On behalf of the HAT Nina Marraccini was presented a check in the amount of \$4,000 for the Harrison Food Pantry.

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March 4, 2010

2010 - - 081

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the following correspondence and reports:

Monthly report by the Town Clerk for January 2010.

1b. Monthly report by the Acting Chief of Police for January 2010.

1c. Monthly report by the Building Inspector for the Fire Prevention Bureau for January 2010.

1d. Monthly report by the Building Inspector for January 2010.

1e. Monthly report by the Acting Commissioner of Public Works for January 2010.

1f. Monthly report by the Superintendent of Recreation for January 2010.

Notification by Cablevision that effective Wednesday, March 3, 2010, all members who subscribe to TV Guide magazine through Cablevision, will be charged \$3.99 per month for the publication. Any questions please contact Robert Hoch @914-378-8960.

Letter by Barry Unger complimenting Rosemarie Cusumano, secretary to the Planning and Zoning Boards, for her friendliness, knowledge, and her patience to repeat things so that Mr. Unger would feel comfortable in understanding what he had to do to help his client.

Adopted by the following vote:

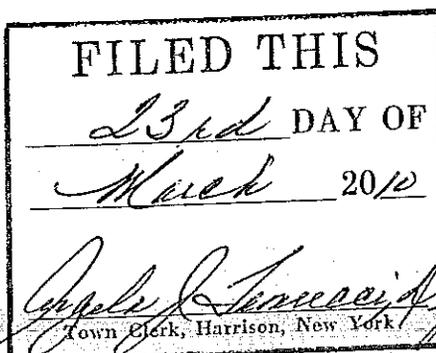
AYES: Councilpersons Cannella, Sciliano Vetere and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

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March 4, 2010

2010 -- 082 -- a

PUBLIC HEARING RE: SPECIAL EXCEPTION USE PERMIT FOR A PROPOSED THREE  
STORY ADDITION AT 313 HALSTEAD AVENUE, HARRISON

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

Stephan Marchesani spoke on behalf of the applicant. He stated that he has been before the Planning Board and approval was granted.

Supervisor Joan Walsh asked Mr. Marchesani to describe what is being done.

Mr. Marchesani said that at they are proposing to put retail on the first floor and two apartments on the second and third floor at 313 Halstead Avenue.

Councilman Cannella asked what will happen to the existing building.

Mr. Marchesani replied that the existing will remain as is.

Mr. Cannella asked: are you building up another three stories?

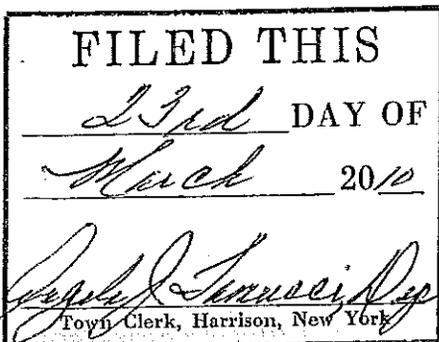
Mr. Marchesani replied that the building will remain as is. The addition will be along side the existing building.

Supervisor Walsh stated that the parking has been waived. It's a waiver of ten spaces for that strip of stores. This has been in effect for a long time.

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

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March 4, 2010

2010 -- 082 -- b

APPROVAL FOR A SPECIAL EXCEPTION USE PERMIT  
FOR A THREE STORY ADDITION AT 313 HALSTEAD AVENUE

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Stephen Marchesani, on behalf of his clients Helen and Alan Pesce, for a Special Exception Use Permit for a three story addition to an existing three story building at 313 Halstead Avenue, with retail on the first floor and two dwelling units above.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector and Mr. Marchesani.

Adopted by the following vote:

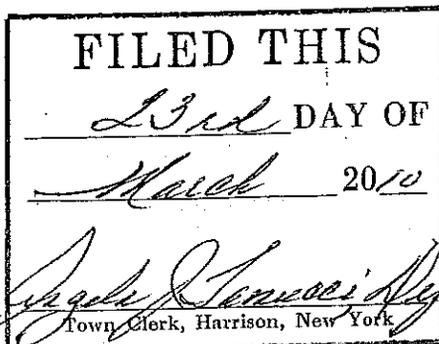
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

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March 4, 2010

2010 -- 083 -- a

PUBLIC HEARING RE: AMENDING CHAPTER 54 ENTITLED  
"RESIDENCY REQUIREMENTS"

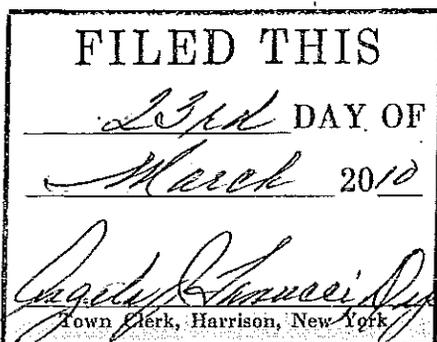
On motion of Councilman Cannella, seconded by Councilwoman Amelio, with all members voting in favor, the Hearing was opened.

Town Attorney Frank Allegretti explained that this is a local law amending residency requirements for certain offices within the Town of Harrison. Public Offices in general, are required to be residents of the Town, unless, there is a local law that exempts certain positions. The law gets the Town into compliance and could give the Board flexibility in the future.

Supervisor Joan Walsh explained that the reason for this is that several of the Department Heads retired and the Deputy Department Heads that were promoted live out of town.

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March 4, 2010

2010 - - 083 - - b  
PUBLIC HEARING – RE: LOCAL LAW NO. 3 OF 2010  
AMENDING CHAPTER 54 ENTITLED  
“RESIDENCY REQUIREMENTS”

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to adopt Local Law No. 3 of 2010, Amending Chapter 54 entitled “Residency Requirements” as follows:

A Local Law Providing that the Building Inspector, Assessor, Engineer and Deputy Town Attorney Need Not be Residents of the Town/Village of Harrison.

Be it Enacted, by the Town Board of the Town/Village of Harrison, Westchester County, New York, that the Code of the Town/Village of Harrison is hereby amended by adding Article II – Residency Requirements for Building Inspector, Assessor, Engineer, and Deputy Town Attorney to read as follows:

Article II – Residency Requirements for Building Inspector, Assessor, Engineer, and Deputy Town Attorney

§ 54-3. **Statement of Purpose.**

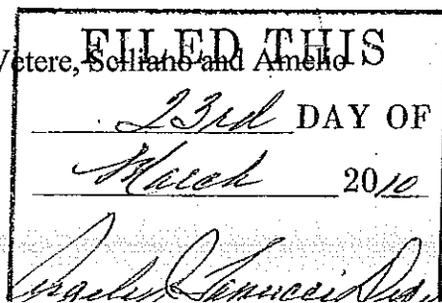
Persons now holding, or in the future appointed to, the position of Building Inspector, Assessor, and/or Deputy Town Attorney need not be residents of the Town/Village of Harrison provided such persons are residents of Westchester County, and in the position of Engineer, need not be a resident of the Town/Village of Harrison provided such person is a resident of Westchester County or a county adjoining Westchester County within the State of New York.

§ 54-4. **General Provisions.**

Notwithstanding the provisions of New York State Town Law, Article 3, § 23 and Public Officers Law, Article 2, § 3, the person appointed to the position(s) of Building Inspector, Assessor and Deputy Town Attorney need not be an elector of the Town/Village of Harrison provided such persons are residents of Westchester County, and in the position of Engineer, need not be a resident of the Town/Village of Harrison provided such person is a resident of Westchester County, or a county adjoining Westchester County within the State of New York.

Adopted by the following vote:

AYES: Councilpersons Cannella, Vetere, Schiano and Amelio  
Supervisor Walsh  
NAYS: None  
ABSENT: None



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March 4, 2010

2010 - - 084

PUBLIC HEARING – RE: AMENDING RESIDENCE DISTRICT, TABLE OF  
DIMENSIONAL REGULATIONS THE MODIFICATION OF THE “B” ZONE  
WITH AN INCREASE OF LOT COVERAGE FROM 30 TO 35% AND  
AN INCREASE IN HEIGHT FROM 26 TO 30 FEET.

Supervisor Joan Walsh asked that before opening the Hearing she would like to postpone it or should the Hearing be opened and then adjourned.

Deputy Village Attorney Jonathan Kraut stated that the Hearing is a continuation and should be opened and then adjourned.

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

Supervisor Walsh explained that the reason she would like the Hearing adjourned is that she was on vacation when the Local Law was circulated and did not have an opportunity to review it.

Councilman Cannella said that other than some verbiage the substance hasn't really changed.

Mr. Kraut stated that if there are any requests to please email them to the Law Department. He further stated that before closing the Hearing, Ms. Whitehead might have some comments because there is an interrelation between this which is a legislation proposed at the request of the Town Board and a rezoning petition which Ms. Whitehead's client has propositioned the Town.

Linda Whitehead, attorney with the firm of McCullough, Goldberger & Staudt, on behalf of her client stated that she has been before the Board before and the Hearing being adjourned. She has been holding off going back to the Town because of the town changing how height is determined in the B zone. Their petition is related to height in the B zones and flood plain they have to piggyback on the other one so they match up. She would like the flood zone finalized and put onto the March 18<sup>th</sup> Meeting.

Mr. Cannella stated that the draft language by the Building Department has been circulated but not put into formal context.

Mr. Kraut stated that Ms. Whitehead needs to amend the petition for the flood plain language based on once you fix the foot print of the B zone legislation.

Ms. Whitehead stated that it was her understanding that because the Law Department is changing that and discussion amongst town staff on how to handle the flood zone lots differently than she had originally proposed. It was her understanding that it could be put into one local law.

Councilman Cannella stated that that was the intent. We could circulate the conceptual, which came from the Building Department, which you now might have. It's has to be put into a statutory reference which Mr. Kraut started.

Deputy Village Attorney Jonathan Kraut explained that a meeting was held, he was not in attendance, and the paragraph regarding the flood plain ordinance came from that meeting.

Ms. Whitehead stated she was not at that meeting.

Mr. Kraut that pending any further comments from the Board, he will email Ms. Whitehead a copy of the "B" zone as it's presently proposed, the paragraph (flood plain) from the meeting, and what she originally drafted and petitioned the Board with and come to the Town with what's being requested for the flood plain. If the Board then wants to incorporate it the Law Department will do that.

Ms. Whitehead stated her concern was timing because of publication.

Mr. Kraut replied that when you make a change to the law, it has to be re-published and there isn't enough time.

Councilman Vetere asked if it should be two separate laws.

Mr. Kraut responded: if you (the Board) wants it to be.

Councilman Cannella stated that the general "B" zone has been published in the present form.

Supervisor Walsh interrupted saying: there's the flood plain paragraph.

Mr. Kraut responded that the flood plain paragraph has not been incorporated into anything that has been publicly noticed, if you don't have any substantive changes it can be adopted at the next meeting.

Councilman Cannella asked to leave the "B" zone alone and with respect to the flood plain is consistent with the thoughts that came out of those meetings. If the Law Department could get comments from the Board by March.

Mr. Vetere interrupted asking if this could be acted on the application of the flood plain now.

Mr. Kraut answered that at present neither could be adopted. The request to publish the "B" zone is ready, assuming the Board schedules this for a Hearing on March 18<sup>th</sup>.

Mr. Cannella replied that it has been published for the 18<sup>th</sup> of March. Make the changes in the flood plain, set it up independently and send the flood plain as is to the Planning Board as a courtesy.

Ms. Whitehead stated that the flood plain is still a continued public hearing for March 18<sup>th</sup>, reviewing the amended text and agree to publish the Hearing for April 6, 2010.

On motion of Councilman Cannella, seconded by Councilwoman Amelio, with all members voting in favor the Hearing was adjourned until the March 18, 2010 Meeting.

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**FILED THIS**  
*23rd* DAY OF  
*March* 2010  
*Roger J. Amadio*  
Town Clerk, Harrison, New York  
*Deputy*

March 4, 2010

2010 -- 085 -- a

PUBLIC HEARING RE: REORIENTATION AND RECONFIGURATION OF EXISTING  
PARKING AREAS ON SAXON WOODS CORPORATE CENTER  
550 AND 600 MAMARONECK AVENUE, BLOCK 482, LOTS 72 & 27

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

Diego Villareale with the firm of John Meyer Consulting spoke on behalf of his client Celestial Capital, owners of 550 & 600 Mamaroneck Avenue. He explained that the parking lot is in disrepair, some parts have sunk. The applicant would like to improve the parking lot by repaving of the entire lot, reconfiguration of existing parking spaces, new striping, new curbing and new landscaped islands. No new square footage is being proposed to either building. The buildings are staying exactly the way they are today. They're reducing impervious areas on the property by about seven thousand square feet (7,000) with the introduction of new landscaped islands in and around the building. It will be done in three phases over the next three years. Phase I will be the 600 Mamaroneck building which will be done this summer then, every summer thereafter another phase will be done until the entire parking lot is completed.

Supervisor Walsh asked: what kind of landscaping is being proposed?

Mr. Villareale answered: new trees, new vegetation and new islands. Some evergreens will be placed along Union Avenue frontage of the property.

Rose Marino, resident on Union Avenue, asked about the spacing of the trees, the height of the trees, and will the trees conceal the parked cars. She went on to say that when the new corporation took over they started cutting trees down, lower and lower. It needs some vegetation and some trees. It's an eyesore.

Mr. Villareale stated that the plan submitted shows twenty nine (29) new evergreen trees, eight to ten (8-10) feet in height.

Mr. Cannella asked about spacing of the trees.

Mr. Villareale replied that they can increase the count of Birch trees. The owners have not cut back the height of the trees that are there.

Councilwoman Amelio commended the owners of the buildings.

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**FILED THIS**  
*3rd* DAY OF  
*March* 20*10*  
*Angela J. Amelio, Deputy*  
 Town Clerk, Harrison, New York

March 4, 2010

2010 -- 085 -- b

APPROVAL FOR A SPECIAL EXEMPTION USE PERMIT  
RE: THE REORIENTATION AND RECONFIGURATION OF  
EXISTING PARKING AREAS ON SAXON WOODS CORPORATE CENTER

On motion of Councilman Vetere, seconded by Councilman Sciliano,

it was

RESOLVED to approve a Special Exception Use Permit for the reorientation and reconfiguration of the existing parking areas on Saxon Woods Corporate Center, including new curbing and landscaping on Block 482, Lots 72 and 27, 550 and 600 Mamaroneck Avenue.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector and Mr. Villareale.

Adopted by the following vote:

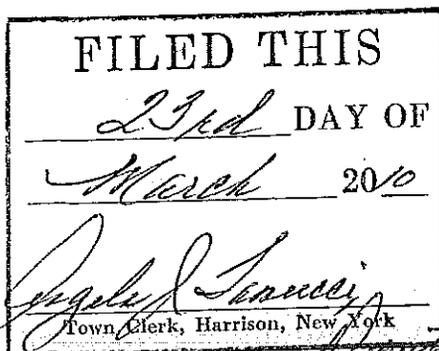
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

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March 4, 2010

2010 - - 086

APPROVAL FOR THE ADDITIONS TO THE RECREATION  
PART TIME AVAILABILITY LIST

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

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

<u>NAME</u>	<u>HOURLY RATE</u>
Nicholas Basciano	\$7.25
Steven Chilelli	\$6.75/8.25 LG

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

Adopted by the following vote:

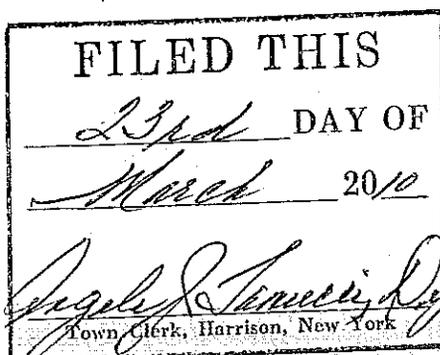
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

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March 4, 2010

2010 - - 087

APPROVAL FOR THE BUDGET TRANSFER

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization for the following Budget Transfer:

**Increase:**

001-1110-100-0102                      \$53,761  
Town Justices – Salaries

**Decrease:**

001-1680-100-0102  
MIS – Salaries                              \$53,761

To transfer funds from the information Technology salary budget line 102 to the Court Clerk salary budget line 102, to fund the salary for the employee transferred from the IT Department to the Court Clerk Department.

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

Adopted by the following vote:

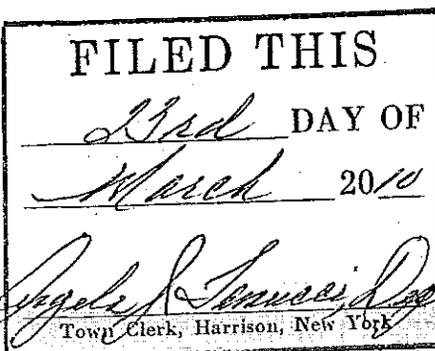
AYES:            Councilpersons Cannella, Vetere, Sciliano and Amelio  
                         Supervisor Walsh

NAYS:            None

ABSENT:        None

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March 4, 2010

2010 -- 088 -- a

APPROVAL TO ACCEPT DONATIONS FOR  
THE HARRISON DOG PARK PROJECT

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization to accept the following donations for the Harrison Dog Park Account #009-615:

MID Westchester Elks Lodge 535, Inc.	\$ 50
Mellor Eng and Hose CO #3 Inc.	\$100

Total: \$150

FURTHER RESOLVED that donations to date are \$8,281.

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

Adopted by the following vote:

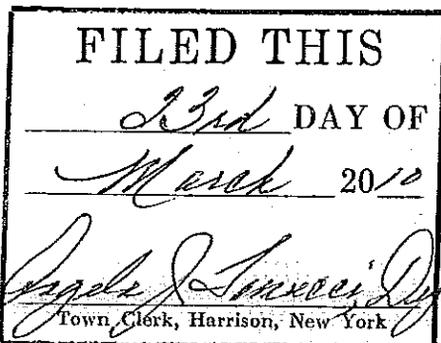
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

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March 4, 2010

2010 - - 089

APPROVAL FOR A SPECIAL EVENTS PERMIT  
RE: "DINING UNDER THE STARS WITH MUSIC"

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by William Powell, owner of Powell's Clam Bar and Catering for himself and Anthony Delfino, owner of Al Dente Restaurant to hold their second annual event "Dining under the Stars with Music", on Thursday evenings, from July 22 through September 9, 2010, from 7 to 10 PM.

FURTHER RESOLVED to close Thatcher Avenue during that time.

FURTHER RESOLVED that a certificate of insurance will be submitted.

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

Adopted by the following vote:

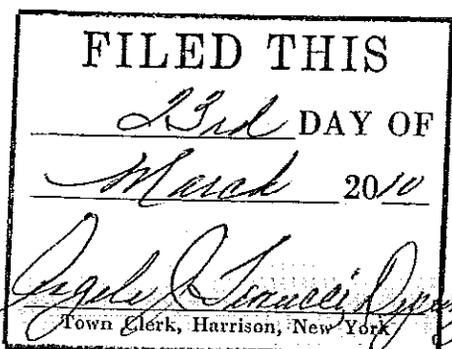
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



March 4, 2010

2010 - - 090

APPROVAL FOR THE CONTRACT BETWEEN  
THE TOWN OF HARRISON POLICE DEPARTMENT AND  
CLARITY TESTING SERVICES

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Acting Chief of Police/Captain Anthony Marraccini for authorization for the contract between the Town of Harrison Police Department and Clarity Testing Services, for the purpose of that department's drug testing program be renewed, upon review by the Law Department.

FURTHER RESOLVED that the Supervisor be authorized to sign said Agreement.

FURTHER RESOLVED to forward a copy of this Resolution to the Acting Chief of Police and the Law Department.

Adopted by the following vote:

AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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

**FILED THIS**  
*23rd* DAY OF  
*March* 20*10*  
*Rosemary Amelio, Deputy*  
 Town Clerk, Harrison, New York

*Chief of Police*

March 4, 2010

2010 - - 091

APPROVAL FOR THE CORRECTION FOR A TAX BILL  
TO MR. & MRS. BAMBACE

Mr. & Mrs. Bambace have been receiving the Alternative Veteran's Exemption. The Assessor's office inadvertently removed the Alternative Veteran's Exemption when removing the Firefighter's Exemption that Mr. Bambace request to be removed.

On motion of Councilman Vetere, seconded by Councilman Sciliano,

it was

RESOLVED to approve the Receiver of Taxes to send a Corrected Tax Bill to Mr. & Mrs. Bambace.

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

Adopted by the following vote:

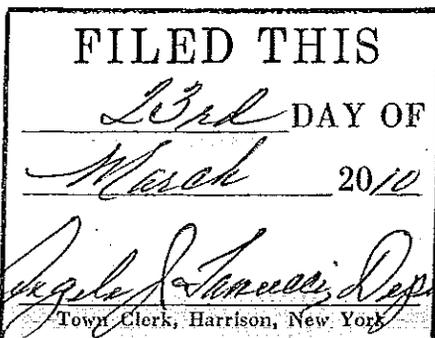
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



*Received by Taxes*

March 4, 2010

2010 - - 092

AUTHORIZATION FOR THE COUNCIL FOR THE ARTS TO HOLD A  
RECEPTION FOR YOUTH ART MONTH IN THE MUNICIPAL BUILDING  
ON MARCH 7, 2010

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Doreen Grozinger, Chairperson of the Harrison Council for the Arts, for authorization for the Youth Art Council to hold the opening reception for Youth Art Month on Sunday, March 7, 2010, from 1:00 to 3:00 PM, in the lobby of the Municipal Building and the Harrison Public Library.

FURTHER RESOLVED to approve the Celebration of the Arts to include the Art of the Young Child, during the month of April, with a reception on Sunday, April 17, 2010.

FURTHER RESOLVED to forward a copy of this Resolution to the Acting Commissioner of Public Works, the Director of the Library and Ms. Grozinger.

Adopted by the following vote:

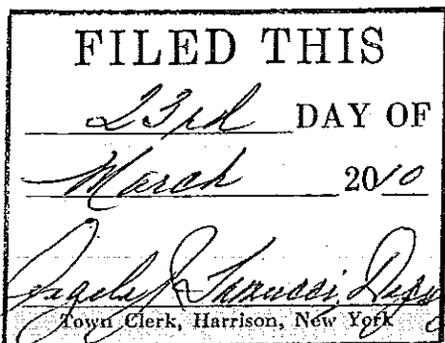
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



March 4, 2010

2010 - - 093

APPROVAL FOR THE PURCHASING DEPARTMENT TO ISSUE  
A PURCHASE ORDER TO EVANS ASSOCIATION

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Acting Town Engineer Michael Amodeo for authorization for the Purchasing Department to issue a Purchase Order in an amount not to exceed \$1,900 to Evans Association, for work related to review and preparation of the wetland analysis and recommendation report with respect to the Town's DEC Wetland Permit Application.

FURTHER RESOLVED that funding is available in Account #001-1900-100-04-07, Special Services.

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

Adopted by the following vote:

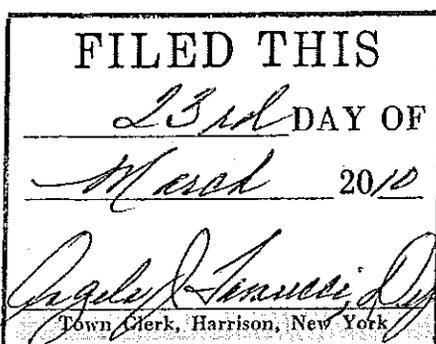
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

- Assessor
- Benefits
- Bldg
- Compt'r
- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r
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March 4, 2010

2010 - - 094

REMARKS: RE: HYDRAULIC FRACTURING FOR GAS EXTRACTION  
IN THE CATSKILL REGION

Councilwoman Amelio explained that parks have been leveled, the territory is never the same again and there's a loss of wild life but the bigger risk is the contamination of our water supply.

Rob Porto asked the Board to vote no because the residents are drinking that water.

Village Attorney Robert Paladino reentered what Ms. Amelio said that it comes through the shale, comes through the ground, and comes up through the pipes of the drill. Fracturing is a process used to break up the rock to allow more spacing the oil and or gas to come up through to be collected and to be distracted. High pressure water, shot in to the well breaks up the rock and allows the production of wells to increase. This technique has been used for years on wells that have dried. Oil and Gas Companies re-fracture wells to get increase production out of the well. This is one process that's been used in many areas. It does have its risks; it could pollute the ground water. If there's a ban on hydraulic fracturing they'll use other drilling techniques to increase the production.

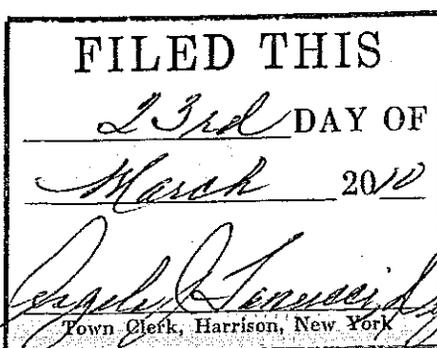
Supervisor Joan Walsh stated that the reports that she has read is that there's pollution of the wells in Pennsylvania where they have been doing this for some time.

Mr. Paladino stated they pollute under the ground, to the extent that goes into the New York City watershed. Mr. Paladino stated that New York City would be on top of anyone or anything to protect their watershed.

Supervisor Joan Walsh stated that she will investigate the situation.

Copies to:

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- Recr'tn
- Supvs'r



March 4, 2010

2010 - - 095

REMARKS BY SUPERVISOR JOAN WALSH RE: HANDICAP PERMITS  
FOR CURBSIDE PICK UP FOR "SEVERALLY" HANDICAPPED RESIDENTS

Supervisor Joan Walsh stated that she has heard a number of people with a third of the people that called was not severally handicapped. She received an application for the severally handicapped from other communities that have curb side pick up and sent the application to the Board members for review. Mrs. Walsh proposed to the Board that on a limited basis with documentation, ask people for applications and grant a limited number of permits on a limited basis with documentation. Back yard pick up would be one day a week, Wednesdays.

Councilman Sciliano believed that that the Commissioner of Public Works should review the application as well as the board.

Acting Commissioner of Public Works Anthony Robinson is concerned about manpower. Limitations on permits is very important in order for the DPW to achieve what the Board is requesting. There are concerns that need to be resolved before this goes in effect. Pick ups can not be scattered all over Town. It's important to keep this to a concentrated area. The limitation of one hundred residents if they are scattered and using four crews. Mr. Robinson stated that if the board has a number he could figure it out.

Councilman Cannella stated that the residents who fill out the application should really think about it because there could be someone who is in dire need of a permit that will be turned down.

Mr. Sciano stated that he is familiar with people on the lists that have been submitted to the Mayor's office and even though they have a doctor's note someone is living in the house and they are not in need of this permit. He went on to say that the Law Department should review the application. The Town needs some perimeters and DPW might have to look at each of these residences.

Mrs. Lucille Held asked how many back up pick ups are being made.

Supervisor Walsh responded that we do not have an idea of how many back yard pick ups there are.

Mrs. Held wants a figure.

Mrs. Walsh responded that the mathematics don't work that way. It was done by reducing the routes to four and how many houses can be covered in those four routes in that amount of time (4-6 hours.) This is the way money was saved, on manpower.

Mr. Robinson explained that the whole premise was done on reduction on manpower.

Mr. Ferrera spoke about the garbage and means of bringing income to the town. He stated that there is a stretch of roadway between the Hutchinson Parkway and New England Thruway in Harrison, why not put cameras on Mamaroneck Avenue twenty four hours a day, if one license plate was taken per hour, with the average ticket being a \$150, in a one day period that would be \$3,600 in revenue for the Town with part of it going to the State, on a weekly basis \$25,200 and \$1,160,400.

Supervisor Walsh said that she wrote down his suggestion.

Councilwoman Amelio asked Captain Marraccini if there is a camera that can clock the cars.

Captain Marraccini responded: absolutely.

Naomi Oppman that the garbage men are doing a great job without the back door pickup. She went on to say that there are rumors that the unions aren't willing to work with the town but it is her understanding that the unions are willing to work with the town. She believes that the union negotiations need to be kept behind the scenes.

Supervisor Walsh said: they are.

Councilman Cannella said: he doesn't hear anyone on the Board saying anything.

Ms. Oppman said that people here are. It's bad for morale and she doesn't think there is any morale in the town. She believes that people to start saying thank you. The sanitation men did a fabulous job during the last snow storm.

Alfred Menna asked about the citizens finance committee.

Mrs. Walsh replied that she asked several people to serve on it but she hasn't had the time to have a meeting. A lot of research about so information will be on hand when the committee is formed.

Mr. Menna asked if it is open to everyone or anyone.

Mrs. Walsh answered: no, because when she was first elected she made it open, she had gotten very good people and gave them five years of budgets asking them to review it. A couple of them came back with the recommendation to fire people. That's not sensible for a town. She is asking people that she thinks has an understanding of unions and of corporations and how a town would operate.

Mr. Menna asked if there are specific guidelines that are being looked at for residents to become part of this.

Mrs. Walsh responded: not specifically, but she wants a variety of people, and she evaluates them.

Mr. Menna asked once these meetings begin how will the residents receive information?

Supervisor Walsh answered: we make recommendations

Pat Miele stated that he gave suggestions for back yard pick up. Instead of picking up recycling twice a week, pick it up one a week, leaving time to pick up people's garbage.

Mrs. Walsh replied that there is different crew of men that pick up the recycling.

Copies to:

- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
- Law
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- P. Wrks
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- Recr'tn
- Supvs'r
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FILED THIS  
*3rd* DAY OF  
*March* 20*10*  
*George J. Tommasi Deputy*  
Town Clerk, Harrison, New York

March 4, 2010

2010 - - 096

REMARKS BY COUNTY LEGISLATOR MARTIN ROGOWSKY

County Legislator Martin Rogowsky addressed the Board and residents regarding the CBDG program. He reminded the Board that Harrison had applied for a \$50,000 grant for sidewalks on an area on Underhill Avenue in West Harrison, but that such grants now have further requirements under the Settlement of the lawsuit filed against the county with regard to these funds.

Deputy Village Attorney Jonathan Kraut asked Mr. Rogowsky for an update regarding the Affordable Housing and the changes regarding the disposition of surplus county land.

Mr. Rogowsky replied that there is a new Administration for County Government, since January 1<sup>st</sup>, and it will be presenting a Model Ordinance in this regard. Currently, land owned by the county which is declared "surplus" or not needed for county purposes, is made available to the municipality in which it is located, at a cost of one dollar (\$1.00.) The new Ordinance will state that sites for Affordable Housing will be declared as needed for county purposes, as deemed by the Federal Government. Under the Settlement, the county will be buying land, and selling it to developers for affordable housing, for one dollar (\$1.00.) Mr. Rogowsky continued that there was a concern that a municipality could say they didn't want affordable housing, exercise their right of first refusal, and buy the land, adding that this right has never been exercised by a municipality. He further stated that a vote will be taken by the County Board of Legislators next week to amend the present law and make it clear that affordable housing is a county purpose and county land involved in that area is not subject to a right of first refusal.

Supervisor Walsh commented on the Settlement Agreement. She stated that the County was sued because they were not building enough affordable units. The Settlement stated that within seven years, 750 units of affordable housing would be built within the county. The income limits for a single person is \$55,000, and \$93,000 for a family of four. Mrs. Walsh pointed out that the law under which the lawsuit was brought had been adopted during the Civil War, and was for abuses to contracts for food and supplies during that War.

Mr. Rogowsky stated that there are thirty one municipalities in Westchester, of which Harrison is one, and is within his Legislative District. He further stated that according to HUD guidelines, some affordable housing could be dedicated to people working in the community, such as volunteer firemen, police, teachers, etc. He continued that, under this Settlement, which he had voted against, there would not be any such local preference. Developers will have to reach outside Westchester for tenants or buyers. Mr. Rogowsky also pointed out to the Town Attorneys that the Town would need to pay attention to this stipulation as, when it comes time to accept the check for \$50,000 for the Underhill sidewalks, the town will have to certify that they will abide by this provision.

- Copies to:**
- Assess
  - Benef
  - Bldg
  - Comp
  - Engrn
  - Law
  - Police
  - P. Wrk
  - Purch
  - Recr'tr
  - Supvs'

**FILED THIS**  
*23rd* DAY OF  
*March* 2010  
*Joseph J. Tonucci, Deputy*

March 4, 2010

2010 - - 097

MATTERS FOR EXECUTIVE SESSION:

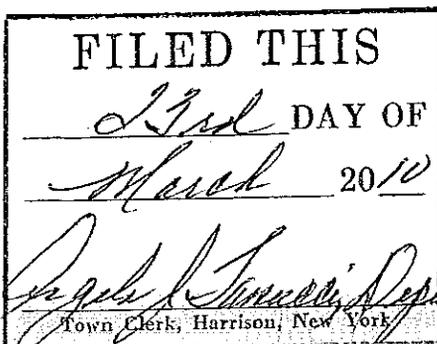
Personnel	4
Advice of Counsel	1
Litigation	1
Settlement of Claim	1

On motion duly made and seconded, with all members voting in favor, the Meeting was recessed for Executive Session at 9:25 PM

On motion duly made and seconded, with all members voting in favor, the Meeting was re-convened at 10:35 PM.

Copies to:

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



March 4, 2010

2010 - - 098

AUTHORIZATION FOR THE TERMINATION OF JOHN CAROLLO,  
EFFECTIVE IMMEDIATELY

On motion of Councilman Sciliano, seconded by Supervisor Walsh,

it was

RESOLVED to authorize the termination of employee John Carollo for reasons discussed in executive session and for cause, effective immediately.

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

Adopted by the following vote:

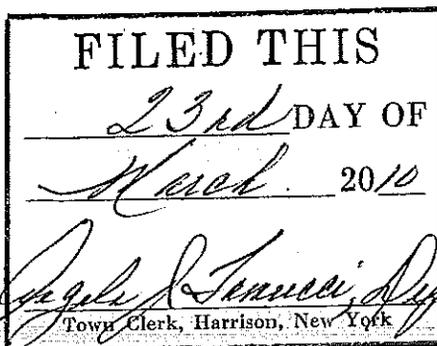
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



March 4, 2010

2010 -- 099

APPOINTMENT OF LEN FRANCO TO THE ASSESSMENT BOARD OF REVIEW

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the appointment of Len Franco to the Assessment Board of Review.

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

Adopted by the following vote:

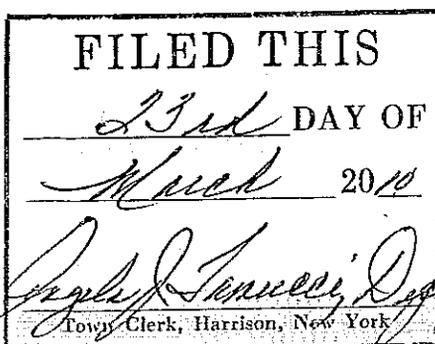
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



March 4, 2010

2010 - - 100

APPOINTMENT OF COUNCILWOMAN MARLANE AMELIO AS TOWN LIAISON  
BETWEEN THE TOWN OF HARRISON AND  
THE HARRISON EMERGENCY MEDICAL SERVICES

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to approve the appointment of Councilwoman Marlane Amelio as Town Liaison between the Town of Harrison and the Harrison Emergency Medical Services.

FURTHER RESOLVED to forward a copy of this Resolution to Mark Scocchera, Chairman of the Board of the HEMS.

Adopted by the following vote:

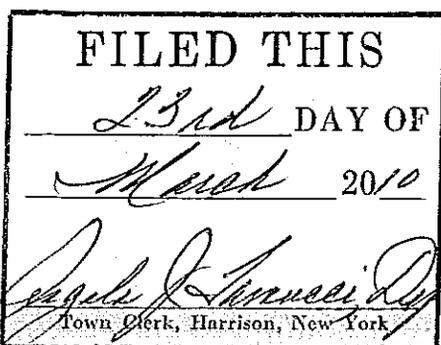
AYES: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



X Mark Scocchera

March 4, 2010

2010 - - 101

SETTLEMENT OF CLAIM: CARDUCCI v TOWN OF HARRISON

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to settle the claim of Carducci v Town of Harrison, in the amount of \$317.32 for automobile damages.

FURTHER RESOLVED that the 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: Councilpersons Cannella, Vetere, Sciliano and Amelio  
Supervisor Walsh

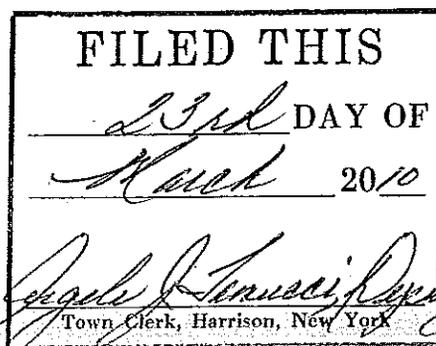
NAYS: None

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 10:36 PM.

Respectfully submitted,

Angela J. Tamucci  
Deputy Town Clerk



Copies to:

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