

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 5th day of August, 2010 at 8:00 PM, Eastern Daylight Savings 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
Fred Castiglia Deputy Town Attorney
Robert Paladino..... Village Attorney
Jonathan Kraut Deputy Village Attorney
Anthony Marraccini Chief of Police
Michael Amodeo Town Engineer
Maureen MacKenzie Comptroller

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FILED THIS
1st DAY OF
Septen Ber 2010
Angelo J. Tomucci, Deputy
Town Clerk, Harrison, New York

August 5, 2010

2010 - - 276

PROCLAMATION HONORING THE LITTLE LEAGUE NEW YORK DISTRICT 20 CHAMPIONS, 9-10 YEAR OLD DIVISION

Supervisor Joan Walsh read the following Proclamation:

WHEREAS, Little League is a vital part of the Spring and Summer sports program in Harrison, with more than 1,000 youngsters participating this year, with every child who wants to be a part of a team assigned to a team. And then there are the Little League All Stars, a special group of nine and ten-year-olds who were standouts during the Spring season and, were then chosen for the All-Star team for summer games, competing on a District-wide basis, and

WHEREAS, these nine and ten-year-olds adopted that mantra of "practice, practice, practice and, despite the intense heat and humidity of this summer of 2010, became the District 20 Champions, winning all five of their games in the District tournament, culminating in a 11-8 very exciting victory over a strong Eastchester team with the lead changing hands several times, a win which gained them the District 20 Championship title, and

WHEREAS, these talented youngsters, Michael Arlotta, Nicholas Bilotta, Joseph Coppola, Matthew Hendler, Michael Hendler, James Kelly, William Kirshner, Scott Lobel, William Marriott, William Pizzutello, Matthew Rossi and Austin Sammons, then competed for the Section 4 Little League title, making it to the semi-finals. It should be noted that there are only six sections in all of New York State. To get as far as the semi-finals means that our All Star team is among the best players in all of New York State;

WHEREAS, this team was led by very fine coaches: Head Coach Michael Pizzutello and Assistant Coach Dawn Hendler, parents of three of the players, coaches who inspired the players while holding them to a very high standard of play, with the able assistance of Lou Arlotta,

NOW THEREFORE, I, JOAN B. WALSH, SUPERVISOR OF THE TOWN OF HARRISON AND MAYOR OF THE VILLAGE OF HARRISON,

praise the dedication and skills of these players and of their coaches, recognizing that it was their own hard work which gained them the Championship of District 20. When the weather turns against us, whether it is winter cold and snow or summer heat and humidity, it takes special people to continue to give maximum effort and dedication, to strive to be the best regardless of the forces against them. This team of nine and ten year-olds, and their coaches, personify the best of Harrison, and we are extremely proud of all of you. We thank each and every one of you for carrying the banner of Harrison so proudly and so well.

FILED THIS
1st DAY OF
September 2010
Regina J. Tancini, Deputy
Town Clerk, Harrison, New York

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August 5, 2010

2010 - - 277

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the following correspondence and reports:

- Monthly report by the Town Clerk for June 2010.
- Monthly report by the Building Inspector for the Fire Prevention Bureau for June 2010.
- Monthly report by the Building Inspector for June 2010.
- Monthly report by the Receiver of Taxes for June 2010.
- Quarterly report by the Library Director for April, May and June, 2010.
- Monthly report by the Superintendent of Recreation for July 2010.
- Monthly report by the Chief of Police for June 2010.
- Monthly report by the Commissioner of Public Works for May 2010.
- Monthly report by the Commissioner of Public Works for June 2010.
- Monthly report by the Receiver of Taxes for July 2010.

Notification by Superintendent of Recreation Ron Belmont that nominations are now being taken for the 2010 Citizen of the Year Award to be presented at the It's Great to Live in Harrison Celebration/Columbus Day Observance scheduled for Monday, October 11, 2010. Nominations can be sent to: Citizen of the Year Committee, c/o Ron Belmont, Superintendent of Recreation, 1 Heineman Pl, Harrison, NY. Nominations must be received by September 7, 2010.

Notification by Robert Hoch, Director of Government Affairs for Cablevision, that beginning August 4, 2010 the Travel Channel will be relocated. Customers experience will differ depending on the type of equipment customers are using to tune to the Travel Channel. Customers will be notified of this change to their channel line-up on air and via bill messages. In addition customers can always find the most current channel and packaging information on Cablevision's customer website. www.optimum.com

Adopted by the following vote:

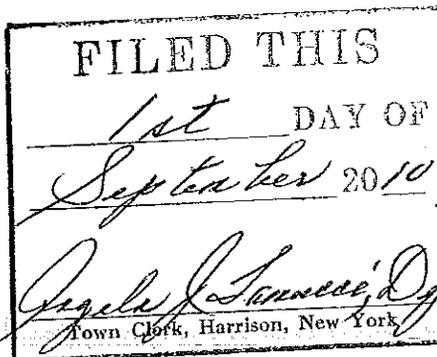
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 - - 278

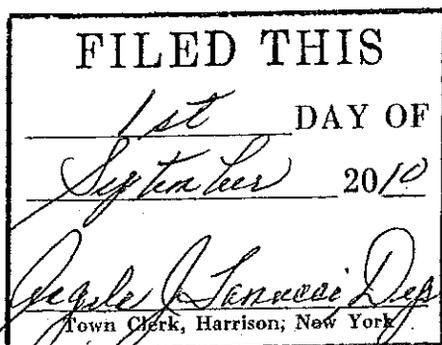
PUBLIC HEARING - CONTINUATION OF PUBLIC HEARING RE: CHAPTER 106 OF
THE TOWN/VILLAGE CODE ENTITLED "BUILDING PERMIT FEES; OUTDOOR
ASSEMBLIES BY AMENDING SECTION 106-1

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

On motion of Supervisor Walsh, seconded by Councilman Vetere, with all members voting in favor, the Hearing was tabled.

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August 5, 2010

2010 – 279

PUBLIC HEARING – PURSUANT TO ARTICLE 2, SECTION 10 AND ARTICLE 3,
SECTION 20 OF THE MUNICIPAL HOME RULE LAW, BY LOCAL LAW OF 2010 BY
ADDING “CHAPTER 70 ENTITLED RETIREMENT INCENTIVE PROGRAM”

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

Comptroller Maureen MacKenzie explained that the Retirement Incentive Program is being offered by New York State Retirement to eligible employees 55 years of age and older who have enough time in the retirement system. NYS Retirement will provide a one month credit for each year the employee was here for each year of service up to 36 months. This would be added to their service time. With this there is a cost to the Town and we must determine if there are sufficient savings.

Supervisor Walsh interrupted and said that the savings must be 50% of the salary and it has to be calculated very carefully so that the Town does not have to reimburse NYS Retirement.

Comptroller Maureen MacKenzie explained that the cost savings quota must be met for 2 consecutive years.

There were originally 42 people who were eligible for this incentive, but following an interest survey, 10 people expressed interest and said that if the town offers the incentive, they may be interested and take it.

Councilman Cannella said that ability to actually implement the program, based on the required conditions of savings, would not be finalized until those eligible actually committed. The commitment period is from the 1st of October to the end of December.

Town Attorney Frank Allegretti said that the law may need to be modified and the board may want to discuss in executive session. This modification can be completed tonight.

Councilman Cannella agreed to take this matter into Executive Session.

Robert Porto stated he is in favor of the retirement incentive, but asked if this will hurt the town in the future, when we are out of debt, since we are changing a law.

Supervisor Walsh answered no, the law only applies to this specific time period.

Councilman Cannella added that this is a one time deal initiated by NYS. NYS requires that you show a 50% cost savings across the board. We will not know if we meet that requirement until all retirements are binding. It is possible that in order to achieve this savings, some positions may need to be eliminated.

Councilwoman Amelio stated that personnel needs must be considered prior to the elimination of any positions. She also asked how long we have to pay into the program.

Councilman Cannella stated that the payments would be spread out over several years.

Supervisor Walsh stated that we have the option of paying one lump sum or payments over a period of five years.

Councilwoman Amelio asked if there would be a slight tax increase to cover the cost.

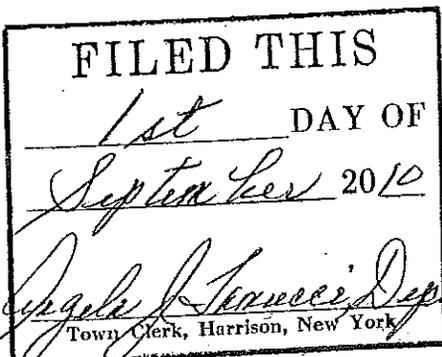
Councilman Cannella stated that it was just the opposite. If you save \$10.00 and you have to fund \$2.00, you have a savings of \$8.00. The funding is a reduction of the savings.

Comptroller MacKenzie provided the Board with a breakdown of the costs over five years. Based on the assumptions made, there will still be a savings into the fifth year. Savings will change based on the assumptions.

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

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August 5, 2010

2010 - - 280

ACCEPT, WITH REGRET, THE LETTER OF RETIREMENT FROM
VIRGINIA W. VOGL, DIRECTOR OF THE HARRISON LIBRARY

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to accept, with regret, the letter of retirement from Virginia W. Vogl, Director of the Harrison Library, effective August 9, 2010.

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

Adopted by the following vote:

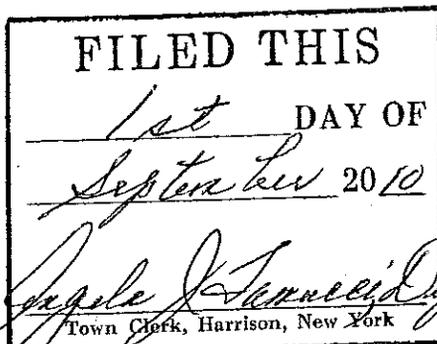
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 - - 281

APPROVAL FOR SGT. MICHAEL OLSEY TO ATTEND
THE 2010 SUMMER SEMESTER AT ASHFORD UNIVERSITY.

COST: \$2,482.00

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Chief of Police Anthony Marraccini for authorization for Sgt. Michael Olsey to attend Ashford University for the 2010 Summer Semester at a total cost of \$2,482 for the following courses:

The American Constitution and Introduction to Criminal Justice

FURTHER RESOLVED that upon satisfactory completion and submission of Sgt. Olsey's attendance at the above listed courses, and upon submission of proof of payment, the Comptroller be authorized to audit and pay expenses outlined as per the contract with the HPA.

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

Adopted by the following vote:

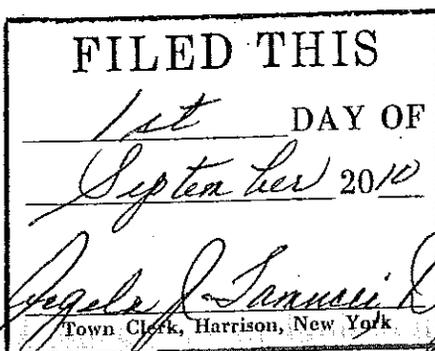
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 - - 282

AUTHORIZATION TO ACCEPT A DONATION FOR THE HARRISON FOOD PANTRY

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept the donation in the amount of \$100 from Elizabeth Clarke and Chuck Behnke for the Harrison Food Pantry, in memory of Robert Gaudelli.

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

Adopted by the following vote:

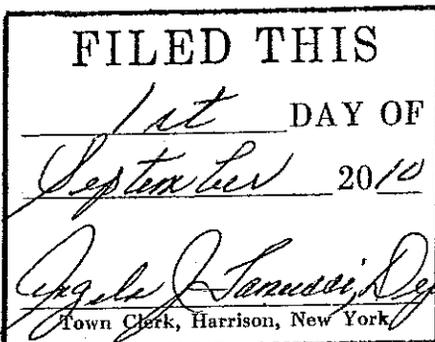
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 -- 283 -- a

AUTHORIZATION FOR THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT
THE HPNAP FOOD GRANT AWARD 2010-2011

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept the HPNAP Food Grant Award 2010-2011 for the following:

Purchased/Bulk Buying Line of Credit	\$2,500.
Donated Line of Credit	\$ 150.

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

Adopted by the following vote:

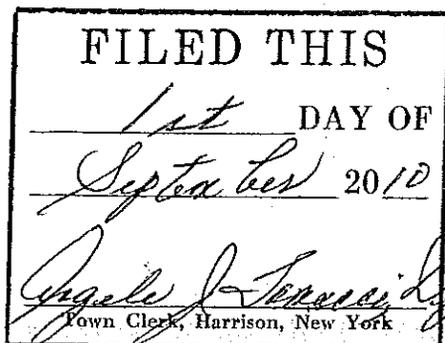
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 -- 283 -- b

AUTHORIZATION TO ACCEPT A CHECK FROM THE HARRISON LIONS CLUB
FOR THE HARRISON FOOD PANTRY IN THE AMOUNT OF \$500.

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept a check from the Harrison Lions Club in the amount of \$500 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:

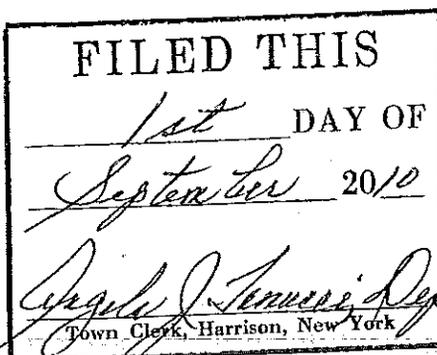
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 - - 284

APPROVAL TO HOLD A BLOCK PARTY ON OLD WELL ROAD, PURCHASE, NY.

On motion of Councilwoman Amelio, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by resident Celine Rossi for authorization to hold a block party on October 2, 2010, with a raindate of October 3, 2010 on Old Well Road, Purchase, NY from Winsor and Old Well Road. to the intersection of Duxbury Road.

FURTHER RESOLVED that the fee be waived.

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

Adopted by the following vote:

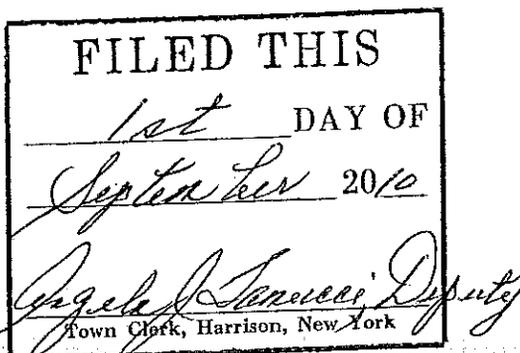
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 -- 285

AUTHORIZATION FOR THE TOWN ENGINEER TO ACCEPT DEDICATION OF
APPROXIMATELY 1,000 LINEAL FEET OF NEWLY INSTALLED SEWER MAIN
AND APPURTENANCES ON ROCKLEDGE ROAD

On motion of Councilman Vetere, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Town Engineer Michael Amodeo for authorization to accept dedication of approximately 1,000 lineal feet of newly installed sewer main and appurtenances located on Rockledge Road off Westchester Avenue. This newly installed sewer is located in easements in the rear of the properties on the north side of Rockledge Road. The sewer line has been tested and approved by the Westchester County Department of Health and all necessary easements have been filed with the Westchester Country Department of Land Records.

FURTHER RESOLVED to authorize the establishment of a 1-year Maintenance Bond of \$20,000. This maintenance bond will replace the Performance Bond (Letter of Credit) of \$40,000 currently held by the Town.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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FILED THIS

1st DAY OF

Septem ber 2010

Regina J. Senussi, Deputy
Town Clerk, Harrison, New York

August 5, 2010

2010 - - 286

APPROVAL FOR PAYMENT OF AN INVOICE IN THE AMOUNT OF \$305 FOR THE
ASCAP LICENSE AGREEMENT FOR MUSICAL PERFORMANCES

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Town Attorney Frank Allegretti for authorization for payment of an invoice in the amount of \$305 for the ASCAP License Agreement for Musical Performances which is renewed through June 2011.

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

Adopted by the following vote:

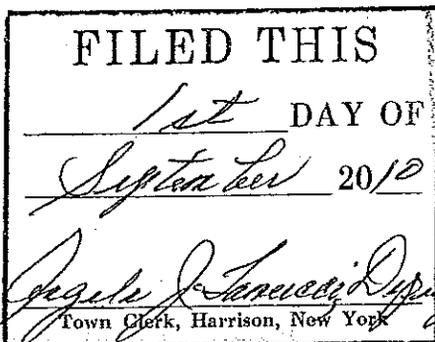
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 - - 287

APPROVAL TO SET THE DATE OF SEPTEMBER 7, 2010 FOR A PUBLIC HEARING
RE: TO CONSIDER THE RECOMMENDATIONS OF THE PLANNING BOARD TO
AMEND §204-32B (4), RECREATION FEES

On motion of Councilwoman Amelio, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Village Attorney Robert Paladino to set the date of September 7, 2010 for a Public Hearing to consider the recommendations of the Planning Board to amend §204-32B (4), recreation fees.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the Planning Board and the Superintendent of Recreation.

Adopted by the following vote:

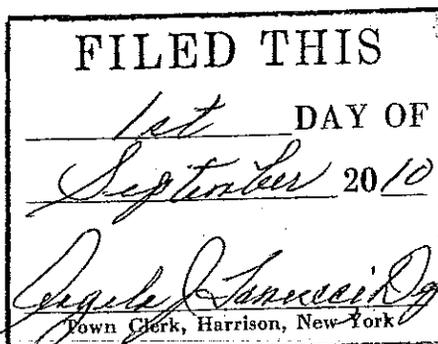
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 -- 288

APPROVAL TO SET THE DATE OF SEPTEMBER 7, 2010 FOR A PUBLIC HEARING
FOR AN AMENDED SPECIAL EXCEPTION USE PERMIT
FOR A NEW 2-1/2 STORY DORMITORY BUILDING

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by Seth Mandelbaum, attorney with the firm of McCullough, Goldberger & Staudt on behalf of his client Manhattanville College to set the date of September 7, 2010 for a Public Hearing for an Amended Special Exception Use Permit for a new 2 ½ story dormitory building in the approved location of the staff residence (the Applicant) on the northern side of the College's campus located at 2900 Purchase Street, Purchase, NY.

FURTHER RESOLVED that the Application received Amended Special Exception Use, Site Plan and Wetlands Permit approval, as well as a Negative Declaration under SEQRA, from the Planning Board at its July 27, 2010 meeting.

FURTHER RESOLVED to forward a copy of this Resolution to the Engineer Department, the Building Department, the Law Department, the Commissioner of Public Works, the Planning Board and Mr. Mandelbaum.

Adopted by the following vote:

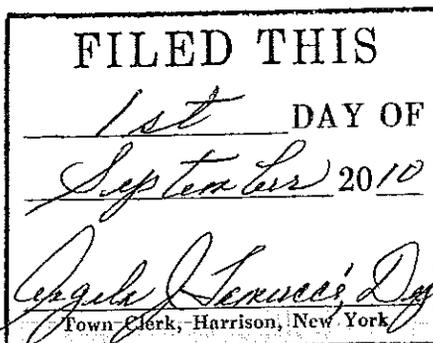
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 - - 289

AUTHORIZATION FOR THE DIPAOLO'S TO RETURN THEIR PARCELS
TO THEIR ORIGINAL STATE

In 2006, in time for filing of the 2006 assessment roll, the properties owned by Mr. Anthony and Ronnie DiPaolo were merged. This was done at the request of the owner, who was represented by counsel. History will note that there was what proved to be an unsuccessful attempt to create a building lot. With the failure of this application, as well as the characterization that the parcel should never be developed as a building lot, the owners are seeking to return the parcels to their original state. The Assessor's office with full knowledge of the Planning Board and their advisor support such action.

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Assessor Mark Heinbockel for authorization for Anthony and Ronnie DiPaolo to return their parcels to their original state.

BEFORE MERGER

Block 611 Lot 21 (Po5) 5.609 Acres
Block 611 Lot 48 (Po5) 1.209 Acres
Block 611 Lot 49 (Po5) 0.820 Acres

AFTER MERGER

Block 611 Lot 21 (Po5) 4.594 Acres
Block 611 Lot 48 (48-49&Po21) 3.044 Acres

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

Adopted by the following vote:

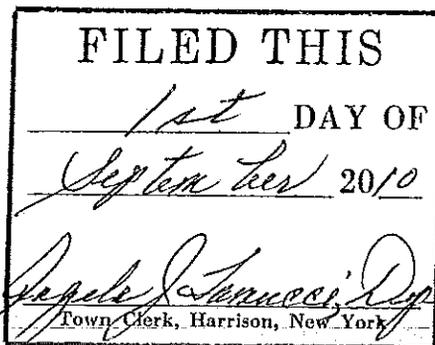
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 - - 290

MATTERS FOR EXECUTIVE SESSION:

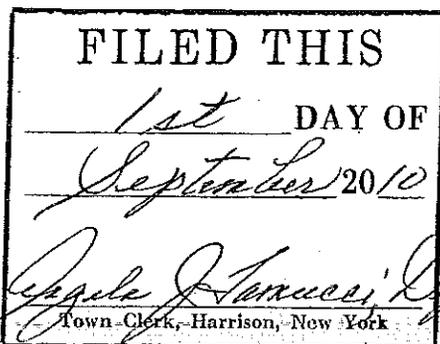
Personnel	1
Advice of counsel	1
Real property	1
Settlement of claim	1
Potential litigation	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to executive session at 8:15 PM.

On motion duly made and seconded,
with all members voting in favor
the Meeting was reconvened at 9:45 PM.

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August 5, 2010

2010 - - 291

RESOLVED THAT COMMERCIAL PROPERTY OWNERS BE NOTIFIED OF THE PENALTIES PLACED ON THE PROPERTY OWNER IF THE TRASH COLLECTION FEE AND REGISTRATION FEE IS NOT PAID BY OCTOBER 1, 2010

On motion of Councilman Vetere, seconded by Councilwoman Amelio,

it was

RESOLVED that commercial property owners be notified that if the Trash Collection Fee and Registration Fee for commercial garbage pick-up is not paid by October 1, 2010, the property owner will be charged a penalty of \$150 and a lien will be placed against their property.

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

Adopted by the following vote:

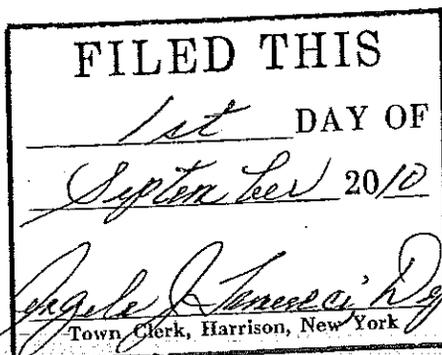
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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August 5, 2010

2010 - - 292

AUTHORIZATION TO TRY TO SETTLE THE MATTER OF
VALENCIA v TOWN OF HARRISON IN THE AMOUNT OF \$4,759.08

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to authorize the Law Department to try to settle the matter of Valencia v Town of Harrison in the amount of \$4,759.08 for automobile damages.

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

Adopted by the following vote:

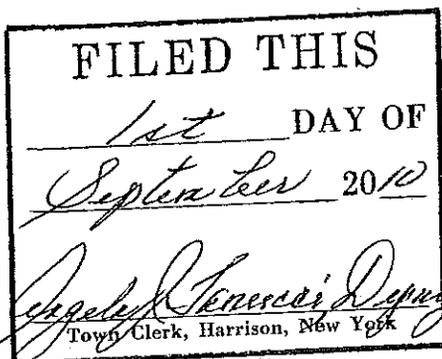
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



August 5, 2010

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AUTHORIZATION FOR THE LAW DEPARTMENT TO PREPARE A CONTRACT FOR
SALE FOR TOWN OWNED PROPERTY ON WOODLAND ROAD,
BLOCK 1032, LOT 3

On motion of Councilman Vetere, seconded by Supervisor Walsh,

it was

RESOLVED to authorize the Law Department to prepare a contract for sale on Woodland Road, Block 1032, Lot 3, in the amount of \$250,000, subject to permissive referendum.

FURTHER RESOLVED to authorize the Supervisor to sign said contract.

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

Adopted by the following vote:

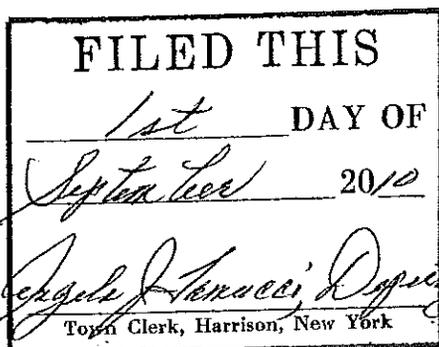
AYES: Councilpersons Amelio, Cannella, Sciliano and Vetere
Supervisor Walsh

NAYS: None

ABSENT: None

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- Benefits
- Bldg
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- Purch'g
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-



August 5, 2010

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AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES IN THE MATTER OF CIARAMELLA v TOWN OF HARRISON, TO THE AMOUNT OF \$40,000

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to raise the cap on legal fees in the matter of Ciaramella v Town of Harrison to the amount of \$40,000.

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

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, 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 9:45 PM.

Respectfully submitted,

Angela J. Tamucci
Deputy Town Clerk

Copies to:

- Assessor
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-

