

April 27, 2006

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 27th day of April 2006 at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano Supervisor

Joseph Cannella)
Thomas Scappaticci) Councilmen
Patrick Vetere)
Robert Paladino)

ALSO ATTENDING

Frank Allegretti Town Attorney
Joseph Latwin Deputy Village Attorney
Fred Castiglia Village Attorney
Maureen MacKenzie Comptroller
Hugh Greechan Town Engineer
Judy D'Agostinis Director of Purchasing
David Hall Chief of Police

April 27, 2006

2006 -- 194

PROCLAMATION of MUNICIPAL CLERKS WEEK
April 30th through May 6, 2006

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides that professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, I, Stephen Malfitano, Supervisor/Mayor of the Town/Village of Harrison, do recognize the week of April 30 through May 6, 2006, as Municipal Clerks Week, and further extend appreciation to our **Municipal Clerk, Joan B. Walsh** and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this day 27th of April 2006.

April 27, 2006

2006 -- 195

ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to accept the following monthly and quarterly reports and one notification:

- 1a. Monthly report from the Town Clerk for March 2006.
 - 1b. Monthly report from the Recreation Department for March 2006.
 - 1c. Monthly report from the Building Inspector for March 2006.
 - 1d. Monthly report from the Fire Marshall for March 2006.
 - 1e. Monthly report from the Receiver of Taxes for March 2006.
 - 1f. Quarterly report from the Direct of the Harrison Libraries for January, February and March 2006.
2. Notification by the Town of North Castle Town Board Re: review of a draft local law that involves the adoption of the Westchester County Greenway Compact Plan under the provisions of Section 44-0119 of the Environmental Conservation Law of New York State, including amendment of the Zoning Ordinance and the Subdivision Regulations so as to make reference to the Compact Plan and direct reviewing agencies to consider the Compact Plan's policies in discretionary actions under those laws, as appropriate.
EAF is available in the Town Clerk's office.

This matter was referred to the Town Attorneys for detailed information as to the provisions of the Westchester County Greenway Compact Plan. Report to be given at the May 11, 2006 Town Board meeting.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 196 -- a (corrected)

PUBLIC HEARING RE: INCREASE IN THE EXEMPTION LEVELS
FOR VETERANS' EXEMPTIONS TOWN REAL ESTATE TAXES

This proposal has already been adopted by Westchester County with regard to County real estate taxes.

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

No one spoke for or against the matter.

On motion of Councilman Vetere, seconded by Councilman Scappaticci, the Hearing was closed.

*correction of wording "income amounts"
should read "exemption levels"

April 27, 2006

2006 -- 196 -- b (corrected)

APPROVAL TO AMEND LOCAL LAW #3 OF 1990, CHAPTER 207 ENTITLED "TAXATION,"
ARTICLE III, VETERANS' ALTERNATIVE EXEMPTION AS LOCAL LAW #5 OF 2006,
INCREASING THE EXEMPTION LEVELS FOR VETERANS' EXEMPTIONS FOR
TOWN REAL ESTATE TAXES.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED, pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, to amend Local Law No. 3 of 1990, Chapter 207, entitled "Taxation" Article III, Veterans' Alternative Exemption by Local Law No. 5 of 2006, increasing the exemption levels for Veterans' exemptions for Town real estate taxes, as follows:

New material underlined, deletions in [brackets]

CHAPTER 207

Taxation

(Adopted 2/20/85 by Local Law No. 1-1985)

Article III

Veterans Alternative Exemption

§207-9. Maximum exemption established. (Amended 4/18/90 by Local Law No. 3 of 1990)

Pursuant to the provisions of Subdivision 2(d) of Section 458-a of the Real Property Tax Law of the State of New York, the maximum veterans exemption from real property taxes allowable pursuant to Section 458-a of the Real Property Tax Law is established as follows:

- A. Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of [\$12,000] \$54,000 or the product of [\$12,000] \$54,000 multiplied by the latest state equalization rate for the Town of Harrison.
- B. In addition to the exemption provided by Subsection A of this section, where the veteran served in a combat theater or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, qualifying residential real property also shall be exempt from taxation to the extent of 10% of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of [\$8,000] \$36,000 or the product of [\$8,000] \$36,000 multiplied by the latest state equalization rate for the Town of Harrison.

- C. In addition to the exemptions provided by Subsections A and B if this section, where the veteran received a compensation rating from the United States Veterans' Administration because of a service-connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by 50% of the veterans' disability rating; provided; however, that such exemption shall not exceed the lesser of [\$40,000] \$180,000 or the product of [\$40,000] \$180,000 multiplied by the latest state equalization rate for the Town of Harrison.

§ 143-34. Effective Date.

This Local Law shall be effective immediately upon approval by the Harrison Town Board and upon filing with the office of the Secretary of State, as provided by law.

ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HARRISON.

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

Adopted by the following ROLL CALL VOTE:

Councilman Vetere	VOTING	AYE
Councilman Scappaticci	VOTING	AYE
Councilman Cannella	VOTING	AYE
Councilman Paladino	VOTING	AYE
Supervisor Malfitano	VOTING	AYE

*correction of wording "income amounts"
should read "exemption levels"

April 27, 2006

2006 -- 197

AUTHORIZATION FOR CHIEF PAT GALLUZZO
OF THE WEST HARRISON FIRE DEPARTMENT TO ATTEND
THE NEW YORK STATE ASSOCIATION OF FIRE CHIEF'S CONFERENCE
IN LAKE GEORGE, NY, JUNE 14-18, 2006 COST: NOT TO EXCEED \$2,000

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the Chief of the West Harrison Fire Department, Patrick Galluzzo, to attend the New York State Association of Fire Chief's Conference, in Lake George, NY, from June 14th through June 18, 2006, at a cost not to exceed \$2,000. This is a budgeted item.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 198 -- a

AUTHORIZATION FOR A SPECIAL EVENT PERMIT
TO HOLD A BLOCK PARTY ON HARRIS LANE
ON SUNDAY, MAY 7, 2006, FROM 3 PM UNTIL 8 PM

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Mrs. Robin Basciano to hold a block party for the residents of Harris Lane on Sunday, May 7, 2006, from 3:00 pm to 8:00 pm, without a rain date.

FURTHER RESOLVED that Certificate of Insurance be submitted.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that the Department of Public Works block off Harris Lane from #14 to and including #20 on that date.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 198 -- b

AUTHORIZATION FOR A SPECIAL EVENT PERMIT
TO HOLD A GRADUATION PARTY FOR THE RESIDENTS OF HARRIS LANE
ON SATURDAY, JUNE 24, 2006 FROM 5 PM UNTIL 10 PM.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Robin Basciano to hold a graduation party for the residents of Harris Lane on Saturday, June 24, 2006, from 5:00 pm to 10 pm, without a rain date.

FURTHER RESOLVED that a Certificate of Insurance be submitted.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that the Department of Public Works block off Harris Lane from #14 to and including #20 on that date.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 199

AUTHORIZATION FOR THE TRI-STATE BICYCLE EVENT IN SUPPORT OF THE ALS
FOUNDATION TO CYCLE THROUGH HARRISON, ON CERTAIN STREETS,
ON JULY 23, 2006, FROM 10:30 AM UNTIL 3:30 PM

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Mat Mendel, Tri-State Trek, Event Coordinator for authorization to cycle through Harrison on July 23, 2006, from 10:30 am to 3:30 pm in support of the ALS Foundation. A copy of the route has been provided.

FURTHER RESOLVED that a Certificate of Indemnification as well as a Certificate of Insurance be submitted.

FURTHER RESOLVED that the Chief of Police be notified, and that he determine if police assistance will be required that day.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 200

AUTHORIZATION FOR A SPECIAL EVENT PERMIT TO HOLD A BLOCK PARTY ON
BROOKSIDE LANE ON SATURDAY, AUGUST 12, 2006,
FROM 1 PM UNTIL 11 PM, WITH A DISC JOCKEY FROM 1 PM UNTIL 9 PM ONLY.
RAIN DATE: AUGUST 13, 2006

Councilman Paladino suggested that the Board eliminate the fee for Special Event Permits as the Board generally waives such fees. The Town Attorneys will research the matter, and determine how often the fee is imposed, and the type of organizations who have paid it.

Mrs. Sharpe asked that the Mayor and members of the Town Board as well as Police and Fire Department representatives accept this letter as an invitation to attend their "first time" event.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Holly Sharpe for a Special Event Permit hold a Block Party for the residents of Brookside Lane on Saturday, August 12, 2006, from 1:00 pm to 11:00 pm, with a DJ from 1:00 pm to 9:00 pm, with a rain date of Sunday, August 13, 2006.

FURTHER RESOLVED to accept the attached Certificate of Insurance, which has been approved by the Town Attorneys.

FURTHER RESOLVED that the Special Event Permit fee be waived.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 201

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS TO PAINT
VARIOUS ROOMS IN THE HARRISON FIRE DEPARTMENT BUILDING

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to advertise and receive bids to paint miscellaneous rooms in the Harrison Fire Department building, with the funds to come from the District's building maintenance account.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of Purchasing and the Fire Chief in Fire District #2.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 202

AUTHORIZATION FOR A SPECIAL EVENTS PERMIT FOR THE CHURCH OF ST. GREGORY THE GREAT TO HOLD A PROCESSION ON HALSTEAD AVENUE FROM WEST STREET TO BISHOP DARGIN SQUARE ON, TUESDAY, MAY 23, 2006, AT 7:30 PM

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Rev. Msgr. Francis J. McAree of the Church of St. Gregory the Great and authorize a Special Event Permit for a procession to be held on Tuesday, May 23rd at 7:30 PM on Halstead Avenue, from West Street to Bishop Dargin Square.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that the Certificate of Insurance, which has been approved by the Town Attorneys, be accepted.

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

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

Adopted by the following vote:

AYES:	Councilmen Vetere, Scappaticci, Paladino and Cannella Supervisor Malfitano
NAYS:	None
ABSENT:	None

April 27, 2006

2006 -- 203
AUTHORIZATION FOR A BUDGET TRANSFER
IN THE ENGINEERING DEPARTMENT
TO INCREASE THE FUNDS AVAILABLE FOR OVERTIME COSTS

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie and authorize the following Budget Transfer for Engineering Department overtime:

INCREASE:

001-1440-100-0120	
Engineering Overtime	\$10,000

DECREASE:

001-1440-100-0407	
Engineering Special Service	\$10,000

In order to rectify the shortage in the Overtime Line and to allow for future overtime during the rest of the 2006 Fiscal Year.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 204

AUTHORIZATION FOR A BUDGET TRANSFER IN THE LAW DEPARTMENT
TO COVER THE COST OF A CERTAIN FURNITURE IN THAT DEPARTMENT

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for authorization for a Budget Transfer, in the amount of, \$1,030., to cover the cost of a reception station in the Law Department, as follows:

INCREASE:

001-1420-100-0210	
LAW/ FURNITURE & FURNISHINGS	\$1,030

DECREASE:

001-1420-100-0406	
LAW/ TRAVEL & CONFERENCE	\$1,030

To transfer available funds in the Law Department travel and Conference line to the Law Department Furniture and Furnishings line to cover the cost of a reception station in the Law Department.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 205

APPROVAL OF BUDGET MODIFICATIONS FOR YEAR-END 2005

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Comptroller MacKenzie for authorization for Budget Modifications for year-end 2005 as follows:

INCREASE:		
001-9000-100-0810		
N. Y. S. RETIREMENT TOWN		\$176,074.00
INCREASE:		
001-3120-100-0810		
N. Y. S. RETIREMENT – POLICE		\$348,266.00
INCREASE:		
001-59-5999		
APPROPRIATED FUND BALANCE		\$524,340.00

To Appropriate Town Fund Balance to cover costs for N.Y.S. Retirement. Of this amount, 420,695.00 had been amortized through the N.Y.S. Retirement and placed in Fund Balance for this purpose. The additional amount is needed to cover the unexpected increase due to higher salaries.

INCREASE:		
001-9000-100-0810		
N. Y. S. RETIREMENT TOWN		\$84,075.00
INCREASE:		
001-3120-100-0810		
N. Y. S. RETIREMENT POLICE		\$406,641.00
INCREASE:		
001-0000-027-2719		
N. Y. S. RETIREMENT LOAN		\$490,716.00

To gross up N. Y. S. Retirement expense and revenue to reflect the amortization portion of 2005.

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

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano
NAYS: None
ABSENT: None

April 27, 2006

2006 -- 207

TABLED: REQUEST OF CHIEF OF POLICE DAVID HALL TO ACCEPT THE DONATION
OF A VEHICLE FROM THE HARRISON FIRE DEPARTMENT

It was pointed out that this would not be a transfer between departments of the Town, but a donation from a separate entity, the Harrison Fire Department, to a Town department. The vehicle, a 2000 Ford Expedition, has a value, and cannot just be donated. The Town Attorneys and the Director of Purchasing were directed to determine the value of the vehicle.

The matter was tabled.

April 27, 2006

2006 -- 208

AUTHORIZATION TO RE-ADVERTISE AND RECEIVE BIDS FOR THE PURCHASE OF
TREES, SHRUBS, FLOWERS AND MISCELLANEOUS SUPPLIES

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to re-advertise and receive bids for the purchase of Trees, Shrubs, Flowers and Miscellaneous Supplies.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 209

AUTHORIZATION FOR A BUDGET TRANSFER IN THE SUPERVISOR'S ACCOUNTS,
FOR THE PURCHASE OF A FILE CABINET.

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization of a budget transfer in the amount of \$512, from Supervisor-Printing, Account #1220-430 to Furniture, Account #210, for a file cabinet.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 210

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS TO PATCH AND REFINISH THE
TERRAZZO FLOORS IN THE WEST HARRISON FIRE DEPARTMENT BUILDING.

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to advertise and receive bids to patch and refinish the terrazzo floors in the West Harrison Fire Department building.

FURTHER RESOLVED that funding for this repair is available in the District's building maintenance account.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 211

HARRISON'S VOLUNTEER AMBULANCE CORPS AGAIN RECEIVE AWARDS
FROM THE WESTCHESTER REGIONAL EMS COUNCIL

Councilman Vetere read a letter from the Public Information and Education Committee of the Westchester Regional Emergency Medical Services Council announcing that eleven members from the area had been honored, with two of the honorees being members of the Harrison's Corps. He added that this is an example of the quality of service individuals in Harrison have, with our Ambulance Corps watching over us and providing the residents of Harrison with exceptional medical service.

Harrison's honorees:

Deputy Chief Joseph Bilotta – Advanced Life Support Provider of the Year; and

Harrison's EMS Chief, Chief David Parsons – EMS Educator of Excellence.

April 27, 2006

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MATTERS FOR EXECUTIVE SESSION:

Personnel history:	2
Police security	1
Settlement of claims	3
Litigation	1

On motion duly made and seconded, the Board recessed for Executive Session at 8:10 PM.

On motion duly made and seconded, the Meeting was reconvened at 8:56 PM.

April 27, 2006

2006 -- 213

SETTLEMENT OF CLAIM: GENTILE vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Gentile vs the Town of Harrison, for damage to a vehicle, in the amount of \$343.62.

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 Law Department and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

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SETTLEMENT OF CLAIM: MODUGNO vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Modugno vs the Town of Harrison, for damage from a fallen tree, in the amount of \$888.19.

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 Law Department and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 215

SETTLEMENT OF CLAIM: RUSSO/DUNNING vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Russo and Dunning, for damage from a sewer back-up, in an amount up to \$8,586.62.

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 Law Department and the Commissioner of Public Works .

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 216

AUTHORIZATION OF UNPAID FAMILY MEDICAL LEAVE FOR OPAL McLEAN
OF THE PURCHASING DEPARTMENT

Ms. McLean has requested leave to care for her mother, and provided a letter from a doctor stating the need for care.

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Opal McLean of the Purchasing Department for unpaid Family Medical Leave to care for her mother, said Leave to commence on April 29, 2006, and to be for a period of 12 weeks, ending July 21, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Benefits Officer, the Director of Purchasing, the Law Department and Mrs. McLean.

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2006

2006 -- 217

APPROVAL OF AN OVERTIME POLICY FOR MANAGERS
IN THE DEPARTMENT OF PUBLIC WORKS
FOR EXTREME EMERGENCY EVENTS, EFFECTIVE JANUARY 1, 2006.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the following overtime policy for Exceptional Events for Managers in the Department of Public Works, effective January 1, 2006:

1. Before any payment can be considered, the Commissioner of Public Works must declare that the occasion is an exceptional event. The Supervisor/Mayor must approve such determination.
Examples of exceptional events that would qualify are a very heavy snowfall, a hurricane, severe flooding or other emergency which requires that the manager(s) be on duty for an extended number of hours.
2. Before any payment can be considered, the Manager must be on duty for a minimum of ten (10) hours.
On a weekday, this means a minimum of 10 hours beyond his normal work day.
On a weekend or holiday, this means a minimum of ten (10) hours starting when the Manager reports to the garage or other work site.
3. On a weekday or weekend, payment shall be at straight time, at the Manager's normal hourly rate of pay, for those times when the Manager shall work more than ten (10) hours. The first five hours, before or after the normal work day, shall not be considered for payment, but the second five hours will be paid time, as well as any hours, before or after the normal work day, continuing from that time in the same event.
4. If the event continues beyond one day and into the next day, then all the hours worked, before or after the normal work day, are considered one event, with the one deduction of five hours.

EXAMPLES:

Weekday:

7:30 AM - to 4 PM normal work day,
Manager stays until midnight = 8 hours. No extra pay

Weekday:

7:30 AM - 4 PM normal work day.

Manager works thru 5 AM.

4 PM to 5 AM = 13 hours, minus the 5 hour deduction = 8 hours payment

Weekday: hours split by the workday

Manager starts at midnight, goes thru the work day, and continues until 2 AM.

Midnight to 7:30 AM = 7.5 hours.

Normal workday is 7:30 to 4 PM. = 7.5 hours

4 PM until 2 AM = 10 hours

Total hours worked are 25 hours. Subtracting the normal workday of 7.5 hours and the 5 hours deduction = 12.5 hours deduction, with payment for 12.5 hours.

Weekend: over a two day period, but one continuous event.

Manager starts at 10 PM on a Saturday night, goes thru until 5 PM on Sunday.

He works a total of 19 hours, minus the 5 hours deductible = 14 hours payment

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

Adopted by the following vote:

AYES: Councilmen Scappaticci, Paladino and Cannella
Supervisor Malfitano

NAYS: Councilman Vetere

ABSENT: None

On motion duly made and seconded, the Meeting was declared closed at 9 PM.

Respectfully submitted,

Joan B. Walsh

Town Clerk