

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 10th day of May, 2007 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
Jonathan Kraut Deputy Village Attorney
Joseph Latwin Deputy Village Attorney
Robert Wasp Commissioner of Public Works
Maureen MacKenzie Comptroller
Judy D'Agostinis. Director of Purchasing
David Hall Chief of Police
Ron Belmont Superintendent of Recreation

May 10, 2007

2007 -- 189

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Monthly report from the Harrison Police Department for March 2007.
 - 1b. Monthly report from the Town Clerk for April 2007.
 - 1c. Monthly report from the Fire Marshall for April 2007.
 - 1d. Monthly report from the Building Inspector for April 2007.
 - 1e. Monthly report from the Receiver of Taxes for April 2007.
2. Notification from residents Emily Bauer and John Katsogridakis, RE: the great number of felled trees piled on top of each other on town-owned property located on Braxmar Drive South in Winfield Glen. Their concern is this could be a potential fire hazard as well as being unsightly.

Referred to the Commissioner of Public Works

3. Letter of appreciation from Peter and Emily Bauer of Harrison of the speedy response and kindness of all Harrison Municipal Employees and Supervisors during the April 15th storm. A donation to the Harrison Volunteer Fire Department, in the amount of \$100 is enclosed.

Letter to be sent to the Town Garage for posting on the Bulletin Board.
Check given to Fire Chief Ralph Straface of Harrison Fire Dept #2.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 190

PUBLIC HEARING: EMINENT DOMAIN PROCEEDING RE: LOT 6(6-7) IN BLOCK 344

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to continue this Public Hearing until the second Town Board meeting in June.

The parcel to be acquired by Eminent Domain is a certain parcel of unimproved land at Sidney Place and known as Block 344, Lot 6 (6-7) on the Tax Map of the Town of Harrison. The public use of the proposed project is the consolidation and expansion of Veteran's Park.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 191 - a

PUBLIC HEARING: RE: APPLICATION OF OLD OAKS COUNTRY CLUB FOR A SPECIAL
EXCEPTION USE PERMIT TO INSTALL BACK-UP GENERATORS

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

Ms. Laurie Lee Dickson of the law firm McCullough, Goldberger and Staudt, attorney for the client, spoke on behalf of the Club and assured the Board that any noise from the generators would be contained by the screening and landscaping that was being installed.

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

May 10, 2007

2007 -- 191 -- b

APPROVAL OF THE APPLICATION OF THE OLD OAKS COUNTRY CLUB FOR A SPECIAL
EXCEPTION USE PERMIT FOR THE INSTALLATION OF EMERGENCY GENERATORS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the application of the Old Oaks Country Club for a Special Exception Use Permit for the installation of three (3) back-up generators (to be powered by natural gas) to be installed on the club grounds.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 192 -- a

PUBLIC HEARING RE: AMENDING ARTICLE II, SECTION 207-7, TO RAISING THE
INCOME LEVELS PERTAINING TO SENIOR CITIZEN REAL ESTATE TAX EXEMPTIONS
(LOCAL LAW # 2 OF 2007)

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

No one spoke for or against the proposal. A correction was made in the schedule presented to the Councilmen, due to a typographical error.

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

May 10, 2007

2007 -- 192 -- b

APPROVAL TO ADOPT THE AMENDMENT TO ARTICLE II, SECTION 207-7
OF THE TOWN CODE, RAISING THE INCOME LEVELS PERTAINING TO SENIOR CITIZEN
REAL ESTATE TAX EXEMPTIONS AS LOCAL LAW #2 OF 2007

On motion of Councilman Cannella, 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 Article II § 207-7, entitled "Exemption Schedule" of the Town of Harrison General Code as Local Law No. 2 of 2007 of the Town of Harrison (Real Property Tax Law § 467) as it pertains to raising the income limits for Senior Citizen Real Estate Tax exemptions, as follows:

§207-7. Exemption schedule.

The income of the owner or the combined income of the owners for the calendar year prior to the date that the application is filed shall determine the percentage of assessed valuation which is exempt from taxation, in accordance with the following schedule:

Delete in §35-7 the Annual Incomes and replace with the following:

Delete in § 207-7 the Annual Incomes and replace with the following:

For the period expiring June 30, 2007:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$0 to \$26,000.00	50%
\$26,000.01 to \$26,999.99	45%
\$27,000.00 to \$27,999.99	40%
\$28,000.00 to \$28,999.99	35%
\$29,000.00 to \$29,899.99	30%
\$29,900.00 to \$30,799.99	25%
\$30,800.00 to \$31,699.99	20%
\$31,700.00 to \$32,599.99	15%
\$32,600.00 to \$33,499.99	10%
\$33,500.00 to \$34,399.99	5%

For the period commencing July 1, 2007 and expiring June 30, 2008:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$0 to \$27,000.00	50%
\$27,000.01 to \$27,999.99	45%
\$28,000.00 to \$28,999.99	40%
\$29,000.00 to \$29,999.99	35%
\$30,000.00 to \$30,899.99	30%
\$30,900.00 to \$31,799.99	25%
\$31,800.00 to \$32,699.99	20%
\$32,700.00 to \$33,599.99	15%
\$33,600.00 to \$34,499.99	10%
\$34,500.00 to \$35,399.99	5%

For the period commencing July 1, 2008 and expiring June 30, 2009:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$0 to \$28,000.00	50%
\$28,000.01 to \$28,999.99	45%
\$29,000.00 to \$29,999.99	40%
\$30,000.00 to \$30,999.99	35%
\$31,000.00 to \$31,899.99	30%
\$31,900.00 to \$32,799.99	25%
\$32,800.00 to \$33,699.99	20%
\$33,700.00 to \$34,599.99	15%
\$34,600.00 to \$35,499.99	10%
\$35,500.00 to \$36,399.99	5%

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$0 to \$29,000.00	50%
\$29,000.01 to \$29,999.99	45%
\$30,000.00 to \$30,999.99	40%
\$31,000.00 to \$31,999.99	35%
\$32,000.00 to \$32,899.99	30%
\$32,900.00 to \$33,799.99	25%
\$33,800.00 to \$34,699.99	20%
\$34,700.00 to \$35,599.99	15%
\$35,600.00 to \$36,499.99	10%
\$36,500.00 to \$37,399.99	5%

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007-- 193 (corrected)

PUBLIC HEARING RE: APPLICATION OF THE OWNERS OF 440 MAMARONECK
AVENUE FOR A SPECIAL EXCEPTION USE PERMIT TO ENLARGE THE
EXISTING LOBBY OF THAT OFFICE BUILDING

On motion of Councilman Cannella, seconded by Councilman Scappaticci, the Hearing was opened.

It was stated that the paperwork for this Application had not yet been completed by the Planning Board.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to continue this Public Hearing until May 24, 2007.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 194

AUTHORIZATION FOR FIRE MARSHAL STEVE SURACE TO ATTEND
THE NYS ASSOCIATION OF FIRE CHIEFS CONFERENCE IN LAKE GEORGE, NY.
JUNE 13-17, 2007 COST: NOT TO EXCEED \$1,000

This request was discussed in some detail as Fire Marshal Surace has been on sick leave due to surgery, and has not yet returned to work. There was a question as to the Town's liability in the event of an accident if Mr. Surace is still out on sick leave. Supervisor Malfitano stated that Mr. Surace had indicated that he planned to return to work at the end of May.

On motion of Councilman Vetere, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Fire Marshal Steve Surace for authorization to attend the NYS Association of Fire Chiefs Conference in Lake George, from June 13 through June 17, 2007, at a cost not to exceed \$1,000.

FURTHER RESOLVED to authorize the Comptroller to advance the funds needed for the Conference, with all funds unspent to be returned to the Comptroller with all receipts.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 195

AUTHORIZATION FOR FIRE CHIEF RALPH STRAFACE AND THREE OTHER MEMBERS
OF HARRISON FIRE DEPARTMENT #2 TO ATTEND THE FIRE SERVICE, RESCUE AND
EMS CONFERENCE IN LAKE GEORGE, NY, COST: NOT TO EXCEED \$3000.

On motion of Councilman Cannella, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of the Chief of the Harrison Fire Department #2, Ralph Straface, and authorize him and three other members of the Department to attend the Fire Service, Rescue and EMS Conference, in Lake George, NY from June 13 through June 17, 2007 at a cost not to exceed \$3,000.

FURTHER RESOLVED to authorize the Comptroller to advance to the Chief the funds needed for the Conference, with all funds unspent to be returned together with all receipts.

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

Adopted by the following vote:

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

May 10, 2007

2007 -- 196

APPROVAL OF A SPECIAL EVENTS PERMIT FOR A BLOCK PARTY ON HARRIS LANE
ON SATURDAY, MAY 19, 2007,
AS REQUESTED BY ROBIN BASCIANO

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Robin Basciano for a Special Events Permit to hold a block party for the residents of Harris Lane on Saturday, May 19, 2007, from 3:00 pm to 9:00 pm. No rain date has been set.

FURTHER RESOLVED that a Certificate of Insurance must be submitted.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that the street be blocked off between houses #15 to #20.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 197

AUTHORIZATION TO ADD \$5,000 TO THE BOOKS/PUBLICATION ACCOUNT
IN THE LAW DEPARTMENT BUDGET

Town Attorney Frank Allegretti informed the Board that, as a result of Thompson/West replacing numerous volumes of their McKinney's Consolidated Laws of New York since January 1, 2007, due to the adoption of many new laws, the Department will have to purchase many new volumes. He added that the Law Department will exceed their budgeted amount of \$10,000 by an additional \$5,000.

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti for additional funding in the amount of \$5,000 for the Books/Publication Account of the Law Department for the purchase of newly published volumes of McKinney's Consolidated Laws of New York.

FURTHER RESOLVED that funds for this request will come from the Contingency Account.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 198

AUTHORIZATION TO RENEW THE INTER-MUNICIPAL AGREEMENT
BETWEEN THE COUNTY OF WESTCHESTER AND THE TOWN OF HARRISON
FOR SERVICES PROVIDED BY CABLEVISION, LIGHTPATH, INC.
RE: ACCESS TO THE COUNTY TELECOMMUNICATION NETWORK

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Deputy Village Attorney Joseph Latwin for authorization for the renewal of the Inter-Municipal Agreement between the County of Westchester and the Town of Harrison regarding services by Cablevision Lightpath, Inc., to provide access to the County telecommunication network.

FURTHER RESOLVED to authorize the Supervisor to execute the Agreement.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 199

AUTHORIZATION FOR A SPECIAL EVENTS PERMIT FOR THE CHURCH OF
ST. GREGORY THE GREAT TO HOLD A PROCESSION ON TUESDAY, MAY 29TH

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Rev. Msgr. Francis McAree of the Church of St. Gregory the Great for a Special Event Permit for a procession on Tuesday, May 29th at 7:30 PM, and that the fee be waived.

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 that a Certificate of Insurance be submitted.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Chief of Police, the Harrison Fire Department, the Volunteer Ambulance Corps, and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 200

AUTHORIZATION TO RELEASE THE PERFORMANCE BOND FOR
THE BROOKSIDE SUBDIVISION, IN THE AMOUNT OF \$22,064.46

It was stated that all items had been completed to the satisfaction of the Engineering Department and the Department of Public Works.

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of the Commissioner of Public Works/Acting Town Engineer for authorization for the release of the Performance Bond for the Brookside Subdivision, in the amount of \$22,064.46.

FURTHER RESOLVED to forward a copy of this Resolution to the Assessor, the Commissioner of Public Works/Acting Town Engineer and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 201

AUTHORIZATION FOR FINAL PLAT APPROVAL FOR
THE SAROSCA FARM ESTATES SUBDIVISION

Attorney Mark Miller explained that this is a 13-lot subdivision on the westerly side of Purchase Street and on the north side of Sarosca Farm Lane. He added that approval had previously been given for a 10-lot subdivision, but the developers were able to obtain an additional 5.5 acres, and increased the home sites to 13.

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of attorney Mark Miller with the firm of Veneziano & Associates, on behalf of his client, Sarosca Farm Estates, for a Final Plat approval following the granting of approval by the Planning Board.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector, the Assessor, the Chair of the Planning Board and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 202

APPROVAL TO SCHEDULE A PUBLIC HEARING ON MAY 24, 2007
RE: AMENDMENT TO THE SPECIAL EXCEPTION USE PERMIT
FOR THE SCHOOL OF THE HOLY CHILD
TO CONSTRUCT AN ARTIFICIAL TURF ATHLETIC FIELD ON THE SCHOOL PROPERTY

On motion of Councilman Paladino, seconded by Councilman Vetere,

it was

RESOLVED to schedule a Public Hearing on the request of attorney Joseph Eriole of Veneziano & Associates RE: an amendment to the Special Exception Use Permit of the School of the Holy Child, to construct an artificial turf athletic field on approximately 2.14 acres of school property. The application is now before the Planning Board, with approval expected on May 22, 2007.

FURTHER RESOLVED to forward a copy of this Resolution to the Assessor, the Chair of the Planning Board, the Town Planner and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 203

APPROVAL OF PURCHASE ORDER # 271611 FOR MISCELLANEOUS ITEMS
FOR HARRISON FIRE DISTRICT #2

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 for Purchase Order # 271611, for miscellaneous items for Fire District # 2, in the amount of \$19,855.99. Vendor: Hi-Tech Fire & Safety, 158 Allen Blvd, Farmingdale, NY.

FURTHER RESOLVED that funding is available in Account #011-3411-100-04-23. These are 2007 budgeted items.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 204

AUTHORIZATION FOR A SPECIAL EVENTS PERMIT FOR PEPSICO, INC. FOR THEIR FAMILY INCLUSION FESTIVAL TO BE HELD ON THEIR GROUNDS IN PURCHASE ON AUGUST 1, 2007. RAIN DATE: AUGUST 2, 2007

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of attorney Frank McCullough, of the law firm of McCullough, Goldberger & Staudt, on behalf of his client, PepsiCo, Inc. for approval for a Special Events Permit, for their Family Inclusion Festival to be held on PepsiCo's grounds on August 1, 2007 with a rain date of August 2, 2007, from 10 am to 5 pm. This event will be self contained.

FURTHER RESOLVED to forward a copy of this Resolution to the PepsiCo, Inc, the Chief of Police, the Purchase Fire Department, the Volunteer Ambulance Corps, the Commissioner of Public Works and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 205

AUTHORIZATION FOR THE SUPERVISOR TO SIGN THE COUNTY SEWER
APPLICATION FOR THE PROPOSED SAROSCA FARM SUBDIVISION

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Acting Town Engineer Bob Wasp for authorization for the Supervisor to sign the County Sewer Application for the proposed Sarosca Farm Subdivision as the Engineering Department has reviewed the sanitary sewer plans and has found them acceptable.

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

Adopted by the following vote:

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

May 10, 2007

2007 -- 206

BID AWARD TO AAA CARTING & RUBBISH REMOVAL, INC
OF CORTLANDT MANOR, NY FOR RENTAL OF CONTAINERS
FOR THE DEPARTMENT OF PUBLIC WORKS COST: NOT TO EXCEED \$72,000
FOR THE REMAINDER OF 2007 AND THE FULL CONTRACT YEAR OF 2008

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for a Bid Award to AAA Carting & Rubbish Removal, Inc., 480 Furnace Dock Road, Cortlandt Manor, NY, effective June 1, 2007, having met all the requirements of the specifications and being the lowest bidder at their Bid Prices as follows, at a cost not to exceed \$72,000 for the remainder of 2007 and a full contract year for 2008:

<u>Type of Container</u>	<u>Price Each</u>
20 Yard Solid Waste	\$450.00
20 Yard Exempt C&D Material	475.00
20 Yard Excess Tonnage	80.00 per ton

FURTHER RESOLVED to authorize the Town Attorney to prepare the contract, which the Supervisor is authorized to execute and the Comptroller, upon receipt of claims to audit and upon audit, the Supervisor to pay same.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 207

APPROVAL OF THE INVOICE FROM THE WESTCHESTER COUNTY BOARD OF
ELECTIONS FOR EXPENSES RELATED TO THE 2006 GENERAL ELECTION

COST: \$33,869.13

Town Clerk Joan Walsh explained that although these costs are to cover expenses for the 2006 elections, the invoice is based on the costs of the 2005 elections as reported to the Board of Elections by her office. The County has recently taken over the payment of the costs of the elections, but does not yet have a uniform basis for charging each municipality. Therefore, they are using the 2005 costs as the basis for the elections. Mrs. Walsh further stated that Chapter 180 of NYS Laws of 2005 gave responsibility for the conduct of elections to the County Board, which then decided that the County would charge-back each municipality's costs to that municipality.

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Town Clerk Joan Walsh for payment of the invoice from the Westchester County Board of Elections in the amount of \$33,869.13 which represents costs incurred by the County Board for the 2006 General Election in Harrison.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 208

AUTHORIZATION FOR THE SUPERVISOR TO SIGN AN AMENDMENT TO THE
CONTRACT WITH THE LAW FIRM OF MILLER & VAN EATON
RE: NEGOTIATIONS WITH VERIZON FOR A CABLE FRANCHISE
IN THE TOWN OF HARRISON

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Deputy Village Attorney Joseph Latwin for an amendment to the contract with the law firm of Miller & Van Eaton for services related to negotiations with VERIZON, with costs to be billed at the hourly rate stated in the amendment, plus expenses, for each attorney.

FURTHER RESOLVED that the Supervisor is authorized to sign this amendment.

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

Adopted by the following vote:

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

May 10, 2007

2007 -- 209
DISCUSSIONS

**REPORT ON PROGRESS AFTER THE APRIL 15, 2007 MAJOR RAIN STORM
(8.2 INCHES IN 24 HOURS).**

Commissioner of Public Works Bob Wasp reported to the Board that two open Public Meetings were held at the Veterans' Building with representatives from FEMA present. (Federal Emergency Management Agency) He continued that he and the Engineering staff had been gathering information through phone calls coming into the Department and between 35 to 40 site visits to damaged areas to document the damage the storm of April 15th caused.

He also stated that the firm of Cook Contracting had been hired to examine the sanitary sewer and storm sewer lines, to send TV cameras through them to see if any walls had collapsed, and to clean the lines, including County sewer lines. He added that most of the lines were clear, but that some sanitary sewers as well as drains had collapsed and would be repaired. Mr. Wasp continued that as a further measure, the Town would be doing "smoke testing," that is, sending smoke through the lines to see if any homeowners had illegally connected the drainage systems from their homes into the sanitary sewer lines. He added that members of his Department had met today with FEMA representatives to see what funds/projects were available to the Town, particularly for road repairs. He added that he will be meeting with FEMA on May 23rd to discuss possible projects, and asked that representatives of the Fire Departments also attend.

Mr. Wasp urged residents to contact FEMA, to determine if they were eligible for grants for repairs, that funds were available for short term repairs, those that could be accomplished within six months, and also long term repairs, those that could take up to eighteen months. He further stated that the Town was looking at possible projects in the areas of the Mamaroneck River, the Beaver Swamp Brook and the Brentwood Brook as well as some of the smaller channels that are contributing to flooding. He said that some work can be and is being done by hand, but some will require heavy equipment.

Supervisor Malfitano said that the comments of the residents had been very helpful in guiding the Town and he welcomes them, that every comment is being followed up to assess the infrastructure.

Councilman Cannella stressed that there are grants as well as low interest rate loans of 2.5%

available for residents for their damages, adding that one gentleman had spoken to him just before the meeting, saying that he had just gotten his check, which was about \$1,800. He added that a unique feature of these loans is, if you qualify, that is you had \$20,000 worth of damages, and an existing mortgage of \$80,000, you can apply for a loan of \$100,000, wiping out the first mortgage and lowering your borrowing costs for the entire sum to 2.5%. He urged residents to call FEMA.

Resident Lucille Held reminded the Board that many people felt that Project Home Run was part of the cause of the flooding, and she has not yet heard anything tonight that would investigate that.

Supervisor Malfitano replied that issue was on the Village Agenda.

Mr. John Katsogridakis of Winfield Glen stated that the Town should clean out the reservoir on the far side of Mamaroneck Avenue, near the Hutchinson River Parkway, so it better serves as a retention basin.

Supervisor Malfitano pointed out that he didn't know who owns that body of water, that at one time it had been owned by the Westchester Joint Water Works. He continued that would be a big project, and there were many projects now being studied. He added that the area would be re-studied.

DUCK POND ON SCHOOL PROPERTY
AT THE INTERSECTION OF NELSON AND UNION AVENUES

RE: RETENTION BASIN; FLOODING IN THE TRAILS;
EFFECT OF IMPROVEMENTS IN THIS WATER BASIN ON FLOODING
IN THE BRENTWOOD AREA; INCREASE IN IMPERVIOUS SURFACES RESULTING
FROM CONSTRUCTION PLANS FOR THE LOUIS M. KLEIN MIDDLE SCHOOL AND
THE HARRISON AVENUE SCHOOL

Supervisor Malfitano said he had been speaking to the Superintendent of Schools, Lou Wool, and asked him to provide the Town with a formal written request that we engage in investigating the Town drainage system that runs from the outlet of the duck pond through school property. He continued that this is one of the projects on the Town's list, and it may open bottlenecks and increasing the flow (of flood waters), it may be a corridor to provide relief for people who live upstream in the Trails and Sterling Ridge.

Councilman Vetere urged that the storm and sanitary sewer drains also be inspected. Mr. Wasp replied that work had been scheduled for today, but the men were called away for another task, adding that it will be done tomorrow (May 11th.)

Councilman Paladino commented, in regards to where the water comes from and where it goes, it comes down through the Trails, into the Duck Pond, then through the LMK School parking lot, then through Nelson Avenue and onto Dinsmore, crosses over Crystal, goes under the Thruway and then connects to the Brentwood Brook. He added that the point is that the Board can say they are getting the water out of the Trails, but is the take-away capacity sufficient to match the water from the Trails or do you bury the Brentwood (area.)

It was agreed that no one wants to hurt the people in the Brentwood area. Commissioner Wasp said

that is why he is recommending, on the Village Agenda, that a consultant be retained to study (the water flows,) to figure out where you can store the water, and where you can improve the flow.

Mr. Paladino said that there has to be a water retention phase that has to occur before the water gets out of the Trails, before it goes into the Brentwood. He added that he had always understood that there was some kind of aquifer, some sort of a holding basin that existed under Nelson Avenue. He continued that he does not know if that is true, or only urban legend.

Mr. Wasp replied that the water table is so high right now everything is saturated but the question of storage has to be addressed. He added that there is a nice location upstream that they have looked at...Penna's Valley. It does have to be studied, although many of these areas are private property.

Mr. Paladino also raised the issue of the present depth of the duck pond, which (is very shallow right now,) adding that it is not functioning as a retention basin now.

May 10, 2007

2007 -- 210

LETTER FROM JUDY GOLDSTEIN RE: WITHDRAWING HER PROPERTY FROM THE
COUNTY SEWER DISTRICT

Councilman Paladino told the Board that he had received a letter from Mrs. Goldstein concerning her request to withdraw from the County Sewer District, saying that she had not yet received an answer to her request.

Supervisor Malfitano reminded the Board that this request had been referred to the Engineering Department to determine the number of homes that might fall into this category. (Mrs. Goldstein's original request had pointed out that her home is too far from the trunk lines for a sewer hook-up to be feasible, adding that there is a provision in County regulations to allow homes such as hers to withdraw, with Town Board permission.)

Acting Town Engineer Bob Wasp stated that he had checked some records, and as of a few years ago, 500 or so homes would be eligible, and the Assessor is now updating the information. He added that his office has been busy these last few weeks, but would have an answer for the Board at the next Town Board meeting.

Councilmen Paladino, Cannella and Vetere agreed that Mrs. Goldstein is entitled to a response, even if the full answer is not yet available.

Supervisor Malfitano pointed out that it is the County Board of Legislators who make the final decision, and they would prefer to have a number of requests at one time, not single requests.

May 10, 2007

2007 -- 211

NOTIFICATION BY SCOTT SHEELEY OF THE NEW YORK STATE DEPARTMENT
OF ENVIRONMENTAL CONSERVATION RE: SCHEDULING A PUBLIC HEARING
REGARDING THE TOWN'S APPLICATION FOR WETLAND PERMITS IN THE AREA OF
PROJECT HOME RUN

Councilman Paladino raised the matter of the letter from Scott Sheeley of the NYS Department of Environmental Conservation, which stated that a Public Hearing would be held on the question of additional wetlands permits for Project Home Run. Mr. Paladino said that many people were interested in this Project, and requested that the location of the Hearing be in a room large enough to hold the number of people expected to attend.

It was agreed that the Hearing would be held in room large enough to seat the number of people expected to attend.

May 10, 2007

2007 -- 212

REPORT BY CHIEF OF POLICE DAVID HALL RE: RECENT ARRESTS OF MEMBERS OF
A GAMBLING RING

Chief Hall observed that most residents had undoubtedly read the reports in the newspapers regarding the recent arrests and arraignments of members of a gambling ring who had been frequenting the West Harrison area. He stated that the investigation had been on-going for more than a year, perhaps 18 months, and it had been started with a traffic stop. He continued that eighteen individuals had been arrested on Saturday, that the Drug Enforcement Agency and the Westchester County District Attorney's office had been involved, and added that more arrests are expected within the next four to six weeks. Chief Hall specifically praised the following officers for their work during this time, as they were the ones who really oversaw the operation:

Captain Marraccini, Lt. Marshall, and Sgts. Olsey and Shannon.

He added that wire taps and surveillance were involved as well as making hard copies of the tapes, the activities ran the gamut of police operations.

Chief Hall concluded by stating that over \$1 million in cash was recovered, thousands of steroids and prescription drugs, as well as guns. He added that during the past six months, his Department had been involved 24 hours a day which had been costly, but that he expected that some of those costs will be re-imbursed. He added that it was a tremendous investigation, and still on-going.

May 10, 2007

2007 -- 213

MATTERS FOR EXECUTIVE SESSION

Personnel	8
Settlement of Claim	1
Litigation update	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for Executive Session at 8:40 PM

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 11:25 PM.

Three members returned to the Courtroom: Supervisor Malfitano, Councilmen Scappaticci and Vetere. Councilmen Cannella and Paladino were delayed.

May 10, 2007

2007 -- 214

SETTLEMENT OF CLAIM: FRANCIS vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to settle the claim of Francis vs the Town of Harrison, for damage to a car, in the amount of \$1,219.76.

FURTHER RESOLVED that the claimant is to sign a General Release.

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

Adopted by the following vote:

AYES: Councilmen Vetere and Scappaticci
Supervisor Malfitano

NAYS: None

DELAYED: Councilmen Paladino and Cannella

May 10, 2007

2007 -- 215

APPOINTMENT OF ANTHONY MUIA AS A PARK ATTENDANT
IN THE PARKS DIVISION IN THE DEPARTMENT OF PUBLIC WORKS

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to appoint Anthony Muia as a Park Attendant in the Parks Division in the Department of Public Works at the annual salary of \$36,005 plus benefits.

FURTHER RESOLVED that a copy of this Resolution is to be forwarded to the Comptroller, the Commissioner of Public Works and the Director of Personnel.

Adopted by the following vote:

AYES: Councilmen Vetere and Scappaticci
Supervisor Malfitano

NAYS: None

DELAYED: Councilmen Paladino and Cannella

May 10, 2007

2007 -- 216

AUTHORIZATON TO HIRE TWO MORE LABORERS IN THE HIGHWAY DIVISION OF
THE DEPARTMENT OF PUBLIC WORKS

Commissioner of Public Works Bob Wasp explained that with all the storm damage that needs to be cleaned and repaired, he needs two more men.

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to authorize Commissioner of Public Works Bob Wasp to hire two more laborers for the Highway Division of the Department of Public Works, at the rate of \$11.00 per hour, effective May 14, 2007.

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

Adopted by the following vote:

AYES: Councilmen Vetere and Scappaticci
Supervisor Malfitano

NAYS: None

DELAYED: Councilmen Paladino and Cannella

May 10, 2007

2007 -- 217

APPOINTMENT OF JOHN LORETTI TO THE PART-TIME AVAILABILITY LIST AS
A SUMMER PART-TIMER IN THE ENGINEERING DEPARTMENT

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to appoint John Loretto to the Part-time Availability List as a summer part-timer in the Engineering Department, at the rate of \$15.50 per hour, effective May 14, 2007.

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

Adopted by the following vote:

AYES: Councilmen Vetere and Scappaticci
Supervisor Malfitano

NAYS: None

DELAYED: Councilmen Paladino and Cannella

May 10, 2007

2007 -- 218

APPOINTMENT OF THOMAS NEU TO THE PART-TIME AVAILABILITY LIST
FOR THE RECREATION DEPARTMENT

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to appoint Thomas Neu to the Part-time Availability List for the Recreation Department, effective May 14, 2007, at the rate of \$8.50 per hour.

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

Adopted by the following vote:

AYES: Councilmen Vetere and Scappaticci
Supervisor Malfitano

NAYS: None

DELAYED: Councilmen Paladino and Cannella

May 10, 2007

2007 -- 219

AUTHORIZATION TO ESTABLISH A NON-PAYING INTERN POSITION
IN THE SUPERVISOR'S OFFICE

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to authorize the establishment of a non-paying internship position in the office of the Supervisor, effective May 14, 2007.

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

Adopted by the following vote:

AYES: Councilmen Vetere and Scappaticci
Supervisor Malfitano

NAYS: None

DELAYED: Councilmen Paladino and Cannella

May 10, 2007

2007 -- 220

APPROVAL FOR A STIPEND FOR ANN ACAVELL
DURING ABSENCE OF THE FIRE MARSHAL

Fire Marshal Steve Surace has been out of the office on sick leave for several months, and Mrs. Acavell has been running the office single handedly during his absence.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve a stipend in the amount of \$4,000 for Ann Acavell, Senior Office Assistant in the office of the Fire Marshal.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 221
APPOINTMENT OF JOAN GROSS
TO THE PART-TIME AVAILABILITY LIST

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Joan Gross to the Part-time Availability List at the rate of \$12.00 per hour, effective May 14, 2007.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Paladino Vetere and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: None

Councilmen Cannella and Paladino returned in time for this vote and those following.

May 10, 2007

2007 -- 222

APPROVAL FOR A STIPEND FOR FLORINDA BRODERICK, SENIOR OFFICE ASSISTANT
IN THE DEPARTMENT OF PUBLIC WORKS, AMOUNT: \$4,000

Ms. Broderick had formerly been assigned to the Department of Public Works. When the Commissioner of Public Works accepted the additional responsibility of Town Engineer, and the Senior Office Assistant in the Engineering Office retired, Ms. Broderick was transferred to that office. It has been agreed that she will train her replacement in the Public Works office, and this stipend is in recognition of the additional duties she will be carrying.

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve a stipend in the amount of \$4,000 for Florinda Broderick during the transitional period while a new person is being trained as her replacement in the Department of Public Works.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

May 10, 2007

2007 -- 223

AUTHORIZATION TO PAY MICHAEL BISCEGLIA, UPON HIS RETIREMENT,
FOR HIS UNUSED VACATION DAYS

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to pay Michael Bisceglia for seventy nine (79) unused vacation days upon his retirement.

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

Adopted by the following vote:

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

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 11:35 PM.

Respectfully submitted,

Joan B. Walsh,
Town Clerk

