

September 21, 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 21st day of September 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
Fred Castiglia Village Attorney
Robert Wasp Commissioner of Public Works
Maureen MacKenzie Comptroller
Judy D'Agostinis Director of Purchasing
David Hall Chief of Police
Arun Ankola Director, Information Technology

The Meeting was convened at 7:20 PM and, on motion duly made and seconded, with all members voting in favor, was recessed immediately for an Executive Session.

The Meeting was reconvened at 7:40 PM.

Supervisor Malfitano praised the members of the Department of Public Works and the police officers for their outstanding work during the recent severe storm named "Ernesto." This was not a hurricane but caused extensive damage due to falling trees, downed wires, and damage to vehicles in the streets. Mr. Malfitano pointed out that the damage was so severe that some homeowners did not get electricity restored for six days.

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to accept the following correspondence and reports:

1. Monthly Report: Receiver of Taxes for August 2006:
Taxes collected: \$627,124.31
2. Monthly Report: Bureau of Fire Prevention for August 2006
Inspections: 83 Fees collected: \$6,931.00
3. Monthly Report: Recreation Department for August 2006
4. Monthly Report: Building Department:
Fees collected: \$95,793.00

5. Notification by the Town of North Castle regarding a proposed Moratorium, as studied by their Planning and Zoning Boards. The Proposed Action involves the adoption of zoning map amendments and other planning and regulatory changes designed to implement the Town Comprehensive Plan Update of 1996; to afford increased protection for the Town's environment, to protect the character, quality and livability of the community, and to otherwise promote the public health, safety and general welfare.

6. Monthly Report from the Department of Public Works, including a chart of complaints and requests for service. August 2006: Fees collected: \$8,462.

7. Notification by Gerard Mulligan AICP, Commissioner of the Department of Environmental Planning for Westchester County that the County intends to serve as lead agency for the Quarry Heights Sanitary Sewer project.

8. Letter from resident Richard Osterer praising the response of Town employees and volunteers during and after the "ERNESTO" storm hit Harrison during Labor Day weekend. He named the following as especially deserving praise:
Bob Wasp, Bill Gerety, Jeff Strazza, Tony Robinson, Richard Evangelista, Robert Porto, Steve Surace & David Hall as well as Police and Fire Depts members.
Supervisor Malfitano requested this letter be included in the Personnel files of these employees.
9. Letter from the Supervisor of the Town of Greenburgh, Paul Feiner, asking every municipality in Westchester County to adopt the attached Resolution requesting Con Edison to conduct a study as to the feasibility of placing all power lines underground.

(The Board tabled this request.)

Councilman Paladino pointed out that the suggestion was impractical, noting that there would be an issue as to who would pay the cost, as that cost would be billions of dollars. He added that the NYS Public Service Commissioner regulates utilities, and this request should be brought to them.

10. Letter from Anthony DiPaolo of Westerleigh Road praising the Town employees and Con Edison, especially Police Lt. Robert Collins and Con Ed's James R. Feeney, for the outstanding work they did following the destruction caused by Tropical Storm Ernesto. Mr. DiPaolo continued that all the Highway employees are also to be commended, but added that there were too many to name them all.

Supervisor Malfitano requested this letter be included in the Personnel files of these employees.

11. Invitation from Superintendent of Recreation Ron Belmont for Town officials and community members to attend the Annual 'It's Great to Live in Harrison/Columbus Day Observance festivities on October 8th and 9th, 2006.

Saturday: October 7thOpen House at the Police Station

Sunday: October 8thFireworks, West Harrison, at dusk

Monday: October 9thParade – 10AM

--Festival in Ma Riis Park following parade

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 390 -- a
PUBLIC HEARING

RE: SPECIAL EXCEPTION USE PERMIT FOR THE FIRM OF
MALCOLM PIRNIE FOR THE INSTALLATION OF A 150K DIESEL GENERATOR
AT 104 CORPORATE PARK DRIVE.

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

Mr. Robert Tully of the Tully Electric Company appeared for the applicant. In response to a question, he stated that a sound attenuator was part of the Generator to minimize the noise.

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

September 21, 2006

2006 -- 390 -- b

APPROVAL OF A SPECIAL EXCEPTION USE PERMIT FOR THE FIRM OF
MALCOLM PIRNIE FOR THE INSTALLATION OF A 150K DIESEL GENERATOR
AT 104 CORPORATE PARK DRIVE.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the request by the firm of Malcolm Pirnie for a Special Exception Use Permit for the installation of a 150K Diesel Generator at 104 Corporate Park Drive.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 391

PUBLIC HEARING:

RE: AMENDING THE TOWN CODE RE: MINIMUM FIRST-FLOOR
ELEVATIONS

To amend a certain section of Chapter 235-32 of the Town Code of Harrison entitled "Minimum First-Floor Elevations" by adding "C" to this section of the Town/Village Code entitled Local Law No. ___ of 2006.

On motion of Councilman Scappaticci, seconded by Councilman Cannella, with all members voting in favor,

it was

RESOLVED to continue this Hearing to the October 18, 2006 Town Board meeting.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 392

PUBLIC HEARING

RE: AMENDING THE TOWN CODE RE: MINIMUM FIRST-FLOOR ELEVATIONS

To amend certain sections of Chapter 235-4 of the Code of the Town Code of Harrison entitled:Definitions, by adding the Definition: “Pre-existing Grade” and to amend “Height of Building or Structure” of the Town/Village Code entitled by Local Law No. ___ of 2006.

Deputy Village Attorney Joe Latwin has filed sketches in the Town Clerk’s office which are available to the public so that the meaning of this amendment is clear.

On motion of Councilman Scappaticci, seconded by Councilman Cannella, with all members voting in favor,

it was

RESOLVED to continue this Hearing to the October 18, 2006 Town Board meeting.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 393

PUBLIC HEARING

RE: CONSIDERATION OF THE CREATION OF A "TOWN HOUSE ZONE" IN THE
TOWN CODE, AND TO APPLY THAT NEW ZONE TO CERTAIN PARCELS OF
LAND WITHIN THE TOWN.

A letter was received from Mayor Philip Trifiletti of Mamaroneck expressing opposition to the proposal to build Townhouses on the Riverbend property, with a Village Board Resolution of opposing the location of Town houses on this property on the Village boundary. Further, Mayor Trifiletti requested notification of any meetings that are scheduled to discuss these proposed townhouses.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to re-schedule this Public Hearing to the October 18th Town Board meeting.

FURTHER RESOLVED that this Public Hearing will be re-noticed in all the required places and venues.

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

Adopted by the following vote:

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

September 21, 2006

2006 -- 394

PUBLIC HEARING

RE: REQUEST BY THE WESTCHESTER JOINT WATER WORKS FOR A SPECIAL
EXCEPTION USE PERMIT TO CONSTRUCT A FILTRATION PLANT ON
PROPERTY OWNED BY THE WATER WORKS OFF PURCHASE STREET.

Supervisor Malfitano announced that this matter is currently in litigation and, until that is resolved, no action will be taken on this request.

September 21, 2006

2006 -- 395

AUTHORIZATION TO PAY THE FULL AMOUNT OF THE TUITION DUE TO
IONA COLLEGE FOR COURSES TAKEN BY POLICE LT. ROBERT COLLINS
DURING THE SUMMER SESSION 2006. COST: \$3,811

Police Chief David Hall explained that Lt. Collins has completed one course: Database Systems for Criminal Justice. The second course: Thesis/Computer-based Research, is 50% complete, with a final completion date of December 31, 2006. This delay in completion has been authorized by Iona College officials.

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Police Chief David Hall that the full amount of the tuition due to Iona College for two courses taken by Lt. Robert Collins be paid at this time: Database Systems for Criminal Justice and Thesis/Computer-based Research, in the amount of \$3,811.00

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller, the Chief of Police and Lt. Collins.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 396

AUTHORIZATION FOR SGT. ROBERT SCHANIL AND OFFICE ASSISTANT
SUE DiIUGLIO TO ATTEND A WORKSHOP IN TARRYTOWN, NY,
ON MICROSOFT EXCEL ON NOVEMBER 7, 2006.
COST: \$149 PER PERSON

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Police Chief David Hall for authorization for Sgt. Robert Schanil and Sue DiIuglio to attend a one-day workshop for Microsoft Excel, given by CompuMaster on November 7, 2006 at the Westchester Marriot Hotel in Tarrytown at a cost \$149 per person. Budget funds are available.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 397

AUTHORIZATION FOR ARCHIVE CLERKS MATTHEW WALSH AND MARIE
BAILEY TO ATTEND A WORKSHOP IN PURCHASE, NY ON MICROSOFT
EXCEL IN OCOTOBER 2006 COST: \$295 PER PERSON

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Clerk Joan Walsh for authorization for Marie Bailey and Matthew Walsh to attend a one-day workshop for Microsoft Excel, given by the firm of Point and Click of Purchase, NY, in October 2006, at a cost \$295 per person. Budget funds are available.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and the Town Clerk.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 398

AUTHORIZATION FOR FOUR POLICE OFFICERS TO ATTEND A SEMINAR
RE: DEATH INVESTIGATIONS – FROM CRIME SCENE TO POST MORTEM,
AT MARYMOUNT COLLEGE ON OCTOBER 4, 2006 COST: \$25 PER PERSON

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Police Chief David Hall for authorization for four Police Officers to attend a one-day seminar: Death Investigations – From Crime Scene to Post Mortem, hosted by the Westchester County Detectives' Association to be held at Marymount College on October 4, 2006. Cost: \$100 for the four officers.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 399

APPOINTMENT OF NANCY SICONOLFI TO THE PART-TIME AVAILABILITY
LIST FOR SCHOOL CROSSING GUARDS \$16.00 PER HOUR

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Police Chief David Hall and appoint Nancy Siconolfi to the Part-Time Availability List for school crossing guards, at the hourly rate of \$16.00 per hour.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 400

AUTHORIZATION FOR TWO YOUTH OFFICERS AND TWO SCHOOL
RESOURCE OFFICERS TO ATTEND A TRAINING CONFERENCE
RE: ROLE OF FIRST RESPONDING POLICE OFFICER IN CHILD ABUSE CASES
COST: \$50 PER PERSON

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Police Chief Hall for authorization for the Department's two Youth Officers and two School Resource Officers to attend a one-day training conference: "Role of First Responding Police Officer in Child Abuse Cases." The conference will be held at Manhattanville College on October 18, 2006, at a cost of \$50 per person.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

September 21, 2006

2006 -- 401

AUTHORIZATION FOR FIRE MARSHAL STEVE SURACE
AND ASSISTANT FIRE MARSHAL MARTIN GOTTE TO ATTEND
THE NYS FIRE MARSHALS AND INSPECTORS SEMINAR/EDUCATION
COURSES
TO BE HELD IN MONTOUR FALLS, NY
ON OCTOBER 17-19, 2006. COST: \$350 PER PERSON

Tabled for Executive Session.

Discussed in Executive Session and approved.

Fire Marshal Surace stated that this seminar will help fulfill the NYS requirement of 24 hours of in-service training each year

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Fire Marshal Steve Surace for authorization for himself and Assistant Fire Marshal Martin Gotte to attend the NYS Fire Marshals & Inspectors Seminar and Education Courses to be held in Montour Falls, NY, October 17-19, 2006. at a cost of \$700. This is a budgeted item.

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

Adopted by the following vote:

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

September 21, 2006

2006 -- 402

AUTHORIZATION FOR FIRE MARSHAL STEVE SURACE TO ATTEND THE NYS
FIRE/ARSON INVESTIGATORS SEMINAR TO BE HELD IN MONTOUR FALLS,
NY ON NOVEMBER 1-3, 2006, AT A COST NOT TO EXCEED \$500

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Fire Marshal Steve Surace for authorization to attend the NYS Fire/Arson Investigators Seminar to be held at the NYS Fire Academy in Montour Falls, November 1-3, 2006. Cost: not to exceed \$500. This is a budgeted item.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 403

APPROVAL FOR THE APPORTIONMENT OF LOT 24(24 THROUGH 28)
IN BLOCK 861 INTO TWO LOTS: 50'x100' AND 75'x100' AS INDICATED
ON THE FILED MAP

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Assessor James Calandruccio for the apportionment of Lot 24(24 through 28) Block 861, owned by Michael Di Marino, into two lots. One lot will be 50x100 and the second lot will be 75x100, as indicated on the filed map.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 404

APPROVAL FOR THE CORRECTION AND AMENDMENT OF THE TAX ROLL
FOR 2006 FOR LOT 2 IN BLOCK 252 TO RESTORE THE ENHANCED "STAR"
EXEMPTION

Assessor James Calandruccio explained that the Enhanced STAR Exemption in school taxes was inadvertently dropped, and the Basic STAR was applied instead. This correction and amendment has been approved by David Jackson, Executive Director of the Westchester County Tax Commission.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Assessor James Calandruccio for a correction and amendment of the Tax Roll for 2006 for Lot 2 in Block 252, as approved by the Executive Director of the Westchester County Tax Commission.

FURTHER RESOLVED that the Receiver of Taxes correct the Tax Roll for 2006.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 405

APPROVAL FOR THE CORRECTION AND AMENDMENT OF THE TAX ROLL
FOR 2006 FOR LOT 2 IN BLOCK 78 TO RESTORE THE BASIC "STAR"
EXEMPTION

Assessor James Calandrucchio explained that the Basic STAR Exemption in school taxes was inadvertently dropped. This correction and amendment has been approved by David Jackson, Executive Director of the Westchester County Tax Commission.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Assessor James Calandrucchio for a correction and amendment of the Tax Roll for 2006 for Lot 2 in Block 78, as approved by the Executive director of the Westchester County Tax Commission.

FURTHER RESOLVED that the Receiver of Taxes correct the Tax Roll for 2006.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 406

AUTHORIZATION FOR THE ACCEPTANCE OF A DONATION OF \$100 FROM
THE INSURANCE COMPANY: OLD MUTUAL (BERMUDA) LTD OF PURCHASE,
N.Y.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Police Chief Hall that the Town accept a donation from Old Mutual (Bermuda) Ltd of Purchase in the amount of \$100.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 407

AUTHORIZATION FOR THE PAYMENT OF THE FINAL ANNUAL
INSTALLMENT OF THE FUNDS DUE TO THE HARRISON VOLUNTEER
AMBULANCE CORPS, AS PER THEIR CONTRACT, IN THE AMOUNT OF
\$106,250

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of David Parsons, Chief of Operations for the Harrison Volunteer Ambulance Corps, and authorize payment of the Corps' final annual installment payment under their contract with the Town, which is due October 1, 2006. Amount: \$106,250.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the HVAC Board of Directors and Chief Parsons.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 410 -- a (corrected)

2007 AUTHORIZATION FOR AMENDMENT #1-a TO THE CONTRACT WITH
THE FIRM OF WOODARD AND CURRAN FOR WORK RELATED TO
PERMITS
FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
FOR PROJECT HOME RUN
COST: \$15,000

Commissioner of Public Works Bob Wasp stated that the wetland permitting work is the close-out of the Brownfields Project at the intersection of Halstead Avenue and Oakland Avenue. He added that, if it is approved by the New York State Department of Environmental Conservation, there will be a 90% re-imbusement to the Town of this cost.

Councilman Paladino asked the date of the last Study of this area.

Mr. Wasp stated that a study had been done in 2004.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for Amendment #1 to the contract with Woodard and Curran, for work related to regulatory permitting for Project Home Run, as required by the NYSDEC, in an amount not to exceed \$15,000:

Wetland Permitting, including

- (1) a meeting with the NYS DEC Wetlands Division representative;
- (2) performing delineation;
- (3) developing a revised wetland map and super-imposing onto the current site layout;
- (4) modifying the current site layout and identifying additional wetland mitigation measures;
- (5) completing wetland permit application. COST: \$15,000

FURTHER RESOLVED that the funding source for this Amendment will be Fund Balance, with the funds to be placed in Project Home Run Capital Account # 02RE17.

FURTHER RESOLVED that if the DEC agrees to re-imburse the town for this cost, these funds will be returned to Fund Balance.

FURTHER RESOLVED that the Law Department prepare the contract amendment in an amount not to exceed \$15,000 and to increase the upset limit for this contract by \$15,000

from \$20,000 to \$35,000.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 410 -- b (corrected)

AUTHORIZATION FOR AMENDMENT #1-b TO THE CONTRACT WITH
THE FIRM OF WOODARD AND CURRAN FOR WORK RELATED TO
THE STORMWATER POLLUTION PREVENTION PLAN
FOR PROJECT HOME RUN
COST: \$15,000

This Resolution is in two parts as the funding sources are different, and the votes on the two issues are different. Councilmen Vetere and Paladino voted against doing the Storm Water Pollution Plan work.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for Amendment #1-b to the contract with Woodard and Curran, for work related to the Storm Water Pollution Plan, in an amount not to exceed \$15,000:

FURTHER RESOLVED that the funding source for this Amendment will be the Recreation Subdivision Fund, with the funds to be placed in Project Home Run Capital Account # 02RE17.

FURTHER RESOLVED that the Law Department prepare the contract amendment in an amount not to exceed \$15,000 and to increase the upset limit for this contract by \$15,000 from \$35,000 to \$50,000.

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

Adopted by the following vote:

AYES: Councilmen Scappaticci and Cannella,
Supervisor Malfitano

NAYS: Councilmen Vetere and Paladino

ABSENT: None

September 21, 2006

2006 -- 411 -- a (corrected)

AUTHORIZATION FOR TRAINING CLASSES FOR DEPARTMENT OF PUBLIC
WORKS PERSONNEL RE: UPDATE OF COMPREHENSIVE SAFETY PROGRAM
PER NYS DEPARTMENT OF LABOR MANDATES. COST: \$3,930.

Commissioner of Public Works Bob Wasp stated that these classes are mandated by OSHA (Occupational Safety & Health Administration) and will be given during working hours with the number of people per class depending on the subject matter to be covered. Mr. Wasp added that he will be coming back to the Board for the adoption of policies relating to safety.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for authorization for training classes, at a cost not to exceed \$3,930, to be taught by Gallagher Bassett Services, Inc., in connection with an update of the comprehensive safety program mandated by the Department of Labor as, with the completion of these sessions, DPW will be 100% in compliance with the Department of Labor mandates.

FURTHER RESOLVED that funding is available in Special Services Account #001-1900-100-4407.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 411 -- b

AUTHORIZATION TO RETAIN THE FIRM OF
GALLAGHER BASSETT SERVICES, INC
TO CONDUCT CLASSES FOR DPW PERSONNEL RE: UPDATE OF THE TOWN'S
COMPREHENSIVE SAFETY PROGRAM COST: \$3,930.00

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to retain the firm of Gallagher Bassett Services, Inc. to conduct classes for Department of Public Works personnel regarding the update of the Town's comprehensive safety program, at a cost of \$ 3,930.00.

FURTHER RESOLVED that funding is available in Special Services Account #001-1900-100-4407.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 412

ACCEPTANCE OF A UTILITY EASEMENT BETWEEN THE TOWN
AND THE WESTCHESTER JOINT WATER WORKS:
BLOCK 791, p/o LOT 1, ON TAYLOR AVENUE

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the Manager of the Westchester Joint Water Works that the Town accept a utility easement on Taylor Avenue between the Harrison School District and the Westchester Joint Water Works: Block 791, p/o Lot 1

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 413

AUTHORIZATION FOR A SPECIAL EVENTS PERMIT
FOR HARRISON HIGH SCHOOL FOR THE PEP RALLY
PRIOR TO THE RYE-HARRISON FOOTBALL GAME

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Rosa Acocella, cheerleading coach for the Harrison High School football team, for a Special Events Permit for the Football Rally and Bonfire prior to the traditional Rye game, to be held on Friday, October 13, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Volunteer Ambulance Corps, Chief of Fire District #2, and Ms. Acocella.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 414

AFFIRMATION OF THE APPOINTMENT BY THE FIRE COMMISSIONERS' OF
FIRE DISTRICT #1 OF THE FIRM OF RBE DAIN RAUSCHER AS THE
PORTFOLIO MANAGER FOR THE SERVICE AWARD INVESTMENT PROGRAM
FOR THAT FIRE DEPARTMENT

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of the Fire Commissioners' of Fire District #1 that the Town Board affirm the appointment of RBE Dain Rauscher as the portfolio manager for the Service Award Investment Program for that Department, as discussed and approved at the Fire Commissioners' meeting held on September 7, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Fire District #1 and its Awards Committee.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 415

REQUEST FOR A RATE INCREASE FOR CUSTOMERS
OF THE WESTCHESTER JOINT WATER WORKS

Request by Supervisor Malfitano for a rate increase for the customers of the Westchester Joint Water Works to defray the estimated increase in interest expense next year. An analysis of the proposed increase was presented at the August 17th Board meeting, with two alternatives to be considered.

This request was tabled at the August 17th Town Board meeting and was again tabled at this Meeting.

September 21, 2006

2006 -- 416

REQUEST BY DIRECTOR OF INFORMATION TECHNOLOGIES ARUN ANKOLA
FOR AUTHORIZATION FOR NINE (9) EMPLOYEES TO ATTEND THE "HTE"
SOFTWARE CONFERENCE IN STAMFORD, CT, ON OCTOBER 10-13, 2006 AT A
COST OF \$6,3000.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Arun Ankola, director of Information Technology, for authorization for nine (9) people to attend the "HTE" software conference in Stamford, Connecticut, from October 10th Until October 13th, at a cost of \$700 per person. Total \$6300.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 417

AUTHORIZATION FOR ADDITIONAL FUNDING FOR ADDED COSTS
ASSOCIATED WITH THE STREET SWEEPERS IN THE DEPARTMENT OF
PUBLIC WORKS

Commissioner Wasp explained that street sweeping material must now be paid at a higher rate than previously as it is now considered solid waste. He continued that the Town used to pay \$450 per container, but now must pay at the rate of \$71 per ton.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize additional funding for the Department of Public Works in the amount of \$64,000, for the additional costs associated with street sweepings due to the change from cost by container to cost per ton. Due to the two major storms that hit the Town in July and September, there has been an increase in this material.

FURTHER RESOLVED that the funding source will be Fund Balance.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 418

MATTERS FOR EXECUTIVE SESSION

Personnel	8
Contract negotiations	2
Real Estate Acquisition	2
Settlement of Claims	3
Update on Litigation	1
Police Department security	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for
Executive Session at 8:30 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was re-convened
at 10:50 PM.

September 21, 2006

2006 -- 419

ACQUISITION OF A CERTAIN ROAD FROM THE COUNTY OF WESTCHESTER
RE: UNDERHILL AVENUE, BOULEVARD AND LAKE STREET: 3.67 miles

Commissioner of Public Works Bob Wasp discussed with the Board the proposal that the Town accept from the County of Westchester the roadway that starts as Underhill Avenue at the intersection with Columbus Avenue and Westchester Avenue, continues to the business district of Harrison where it is briefly known as Boulevard, and then continues through the business district and on out to the intersection with Purchase Street near the County Airport, a distance of 3.67 miles. Mr. Wasp stated that the Town now has 108 miles of roads, with a budget of approximately \$36,000 per mile per year for maintenance. He further pointed out that this particular roadway is in good to excellent condition, having been recently repaved. The proposal from the County to takeover the maintenance responsibility of these County roads would involve payment to the Town in the form of re-imbusement for an eligible project. As discussed in Executive Session, the Town could use these funds for the Streetscape improvements now being planned in the West Harrison Business District as this is an eligible project. There would be a clause in the IMA Agreement that allows the County to maintain "involve agency" status during SEQRA review of property along this roadway.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to authorize the Supervisor to enter into an Agreement with the County of Westchester enabling the Town to take over the maintenance of 3.67 miles of the County-owned roadway known as Underhill Avenue, Boulevard, Lake Street in the West Harrison section of the Town, with the County transferring a certain sum of money to the Town as part of the acquisition.

FURTHER RESOLVED that this Agreement is subject to a review of the final language by the Law Department and the Town Board.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 420

CHANGE IN TITLE AND PAY GRADE FOR FRANK BALBI IN THE
ENGINEERING DEPARTMENT

At the August 30, 2006 Special Town Board meeting, the Board approved the appointment of Frank Balbi as an Assistant Engineer on a provisional basis, subject to his passing the Civil Service test when scheduled. It was later found that Mr. Balbai would not be eligible for this title on a competitive exam under Civil Service regulations, but would be eligible on a promotional basis.

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to return Frank Balbi to the title of Junior Civil Engineer, with a change in pay grade from Step 4 to Step 5, at the annual salary of \$70,817, effective immediately.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 421

SETTLEMENT OF CLAIM: HARRISON BEVERAGE MART vs
TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to settle the claim of the Harrison Beverage Mart, for damage to the facade of its building by a Town truck, in the amount of \$2,000.

FURTHER RESOLVED that this settlement is subject to the claimant signing a General Release.

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

September 21, 2006

2006 -- 422 (corrected)

SETTLEMENT OF CLAIM: MORGAN vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to settle the claim of Morgan vs Town of Harrison, for damage to an automobile by a Town truck, in the amount of \$2,218.01

FURTHER RESOLVED that this settlement is subject to the claimant signing a General Release.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 423

SETTLEMENT OF CLAIM: GIANNETTI vs TOWN OF HARRISON

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to settle the claim of Giannetti vs Town of Harrison, for damage to his automobile by a Town truck, in the amount of \$767.73.

FURTHER RESOLVED that this settlement is subject to the claimant signing a General Release.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 424

APPOINTMENT OF STEVEN LOWENTHAL TO THE
BOARD OF ZONING APPEALS,
IN THE PLACE AND STEAD OF TEDD CRAVEN, TERM ENDING 12/31/2008

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to appoint Steven Lowenthal to the Board of Zoning Appeals, in the place and stead of Tedd Craven, with the term ending on December 31, 2008.

FURTHER RESOLVED to forward a copy of this Resolution to the Chair of the Zoning Board the Building Inspector and Mr. Lowenthal.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 425

AUTHORIZATION FOR THE PURCHASE OF CERTAIN EQUIPMENT FOR THE
POLICE DEPARTMENT, AS DISCUSSED IN EXECUTIVE SESSION
COST: \$50,000

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to authorize the Police Department to purchase certain equipment as discussed in Executive Session, at a cost of \$50,000.

FURTHER RESOLVED that the funding source for this equipment is the 2006 Capital Budget and other accounts as found by the Comptroller.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

2006 -- 426

AUTHORIZATION TO APPROPRIATE \$12,522 FROM CONTINGENCY
AND TRANSFER INTO THE POLICE SPECIAL SERVICES ACCOUNT
FOR RENTAL OF EQUIPMENT AS DISCUSSED IN EXECUTIVE SESSION

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to appropriate \$12,522 from the Town's Contingency Fund, and transfer that sum to the line in the Police Budget for Special Services, as discussed in Executive Session, for rental of equipment.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Scappaticci, Paladino and Cannella,
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,
with all members voting in favor, declared closed at 11 PM.

Respectfully submitted,

Joan B. Walsh
Town Clerk