

June 28, 2007

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 28th day of June 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
David Hall Chief of Police

Supervisor Malfitano reminded people that the 1st Annual Fireworks Display will be held on July 4th, at the Project Home Run site, beginning about 9 PM., and invited everyone to attend. He added that Oakland Avenue, the road adjacent to the site, will be closed to traffic so there will be plenty of space for everyone.

June 28, 2007

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PRESENTATION OF THE MAYOR'S CHOICE AWARDS

Each March, the students in the various schools in Harrison are invited to show their art work in the halls of the Municipal Building as part of Youth Art Month. It has been the custom for many years for the Supervisor to choose works that in his opinion are outstanding and, with the permission of the artists, add them to the permanent collection of the town.

This year, the Supervisor/Mayor chose art by the following students, and presented certificates of appreciation to them:

Robert Donohue, Harrison Avenue School, Grade 2
Crayon: "Baseball Player" (a Yankee)

Jennifer Giraldo, Preston School, Grade 5
Crayon: "Pumpkin Still Life"

Gaby Mitchell, Harrison High School
Acrylic: "Young person sleeping"

Lauren Straface, Louis M. Klein, Grade 8
Digital, "Snowman in a Hot Tub"

The Art will become part of the permanent collection of the Town, if the students so desire.

June 28, 2007

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ANNOUNCEMENT OF THE PUBLIC HEARING TO BE HELD ON JULY 23, 2007
BY THE DEPARTMENT OF ENVIRONMENTAL CONSERVATIONS
RE: AMENDMENT TO THE WETLANDS PERMIT FOR PROJECT HOME RUN

Supervisor Malfitano announced that there would be a Public Hearing in the downtown Library on Monday, July 23rd, at 6 PM, regarding the Town's application for an amendment to the Wetlands Permit for Project Home Run. He invited all interested parties to attend.

Resident Joe Derwin of South Road asked the Board if this Hearing on the town's request for authorization to place additional fill on the Beaver Brook Swamp/Project Home Run area, as part of the Town's Wetland Permit, could be moved to a larger room. He continued that there is a great deal of interest in this matter due to the recent flooding of the area and the effect that any additional fill might have on future flooding.

Councilman Paladino also asked if there was a way to change the location.

Supervisor Malfitano stated that since the Public Notice of this Hearing had been published, and the location given in that notice, it would be difficult to change it. He added that the Library could probably hold 87 people. Mr. Malfitano continued that if there is a way to move the Hearing, he will do it.

June 28, 2007

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PRESENTATION OF REVISED PLANS FOR THE MINTZER CENTER

Supervisor Malfitano gave an update on the plans for the Senior Citizen Annex to be located adjacent to the Mintzer Center in West Harrison. His first update concerned the location and he stated that the building had been moved to the area where there presently is a skating rink. He added that the rink wall will be taken down, and reused in an area on the opposite side of the building, an area will be blacktopped, and the wall re-installed.

Mr. Malfitano went on to give an update on the floor plans. He stated that there had been constant revisions, based on meetings and discussions with many people, including Seniors. He pointed out that the building was originally 3,000 square feet but has been expanded to 4,500 square feet, and is now 45 feet wide by 100 feet long. The building was made wider to give added room between the tables during the Bingo sessions. A cloakroom and powder room were added at the entrance. The kitchen will be 25 feet by 13 feet, and a storage room for tables and chairs was moved. The main room is now 2,400 square feet, double the original size.

Mr. Malfitano continued that this will be a first-rate structure, a steel frame building with a steel roof, and a stucco finish with brick work on the lower areas and at the corners. He added that once the plans are approved, it will take three months to build.

Supervisor Malfitano also stated that although no basement had been planned, the Town may ask for separate bids for that idea.

Resident Lucille Held then critiqued the Town's proposal. She stated that the plans proposed by the Town were not exactly what an 82-year-old Senior should expect from Harrison. It does not represent the dignity of our Seniors, many of whom live alone and would like a place to go that is pretty, feels like home, where they can socialize.

She pointed out various flaws in the town's drawings, including the following:

- Entrance and coatroom too close together – will be crowded
- Powder room should not be at the entrance, too congested an area
- Kitchen is not near an exit. Cook will have to walk 50 feet to dispose of garbage.
- Kitchen should have an area for locked storage.
- Technical room should have its own exit.

Mrs. Held also questioned the use of a steel building and the length of time it would take to erect.

She stated that she had researched modular buildings, and this Annex could be built that way, adding that a modular unit can only be 15 feet x 60 feet as that is the size that fits on the truck, but several 15' sections could be linked together to reach the 100' length that is planned, while the other dimension (of 60') could be reduced to the 45' proposed.

Mr. Malfitano replied that all building methods had been looked at: stick construction, modular and steel, and came to the conclusion that the engineered steel building was viewed as the better project.

Mrs. Held then presented her drawings to the Board, which showed an oblong building but with a bump-out towards one end which would house a formal entrance, a formal lobby, bathrooms

for men and women with an entrance from both the lobby and the main room, as well as an office for staff. She also moved the kitchen – enlarged to 18’x19’, to the entrance end of the building, and indicated an area for a card room. Her proposed building would be 4,144 square feet. She continued that she wants the most beautiful building that can be built, and that the Town should do it right as it may be in use for the next fifty years.

Councilman Paladino asked Commissioner of Public Works Bob Wasp if the shape that Mrs. Held was proposing could be built. His answer was “yes” at a slightly higher cost.

Councilman Cannella said that the Board was aggressively pursuing this project, it has evolved and been revised through three generations of drawings to accommodate all comments, with revisions also to the budget. He added that the idea of a basement was a surprise. Mr. Cannella continued that among the considerations was the future use of the site and the disrepair of the present Center building. He stated that the Board has to make a judgment (as to what to do) – he wants to get it done and done right, he does not want to keep debating the proposal. He added that he does not mind giving it again to the consultant with these new ideas, but he does want to get it done. He also said that the Annex should be unlinked to any future planning but should not encumber any future buildings, adding that if there is Senior housing, then the Senior Center should be moved into that building.

Councilman Paladino commented that Mrs. Held had added 500 square feet, extending the meeting room from 2400 square feet to 2800 square feet, and adding an entryway that added an appealing dimension to the building. He continued that (Superintendent of Recreation) Ron Belmont wanted two sections to the room – a larger one and a smaller one – and this plan improved the meeting area so as to accommodate 200 people, putting it in the right place in the building.

Commissioner Wasp pointed out that a twenty foot separation between the current Center and the proposed Annex was needed.

Supervisor Malfitano thanked Mrs. Held for her ideas as shown in her drawing. He continued that they had looked at many shapes for the building, including an “L” shape but (a concern was for) the 20 foot separation requirement, and allowing space for future development. He added that what she has done has merit but it burdens the site for future development.

Mrs. Held stated that she had considered future development when drawing her plans and it will work where she has placed it (with the long length of the building backing up to Underhill Avenue.)

Councilman Vetere said he did not want a basement in the building, that he had not agreed to it, and that storing tables and chairs in the basement created the problem of getting them upstairs when needed.

Supervisor Malfitano said that the builder had pointed out that he has to go down 3.6 feet for the footings, and it would not be that much more expensive to have a full basement.

Councilman Scappaticci said that Mrs. Held's building did not fit on the site and did not leave the 20' fire lane around the building. He added that the Board had looked at many shapes and sizes before they settled on the one planned, and that any changes may add 6-9 months to the job.

Resident Ann Gaudenzi said she just wants the building to go up quickly. She was also worried about the acoustics in the new building.

Resident and West Harrison Neighborhood Association Senior Committee member Nancy DeLeo also said that she does not want construction delayed, adding that although she loved Mrs. Held's plans, she worried about a possible delay in construction.

Resident Lou Funicello said that the Town should do it right, that he believes Mrs. Held's plan was better, and he did not think it would take additional months to get the changes made and the building started.

WHNA Senior Committee Chair Rosemarie Verrano said that she had mixed feelings about tonight's discussion, adding that she had worked with Councilman Cannella on the design, and also visited many other sites. She added she liked the idea of a welcoming lobby. She also said that with meals now being served twice a week, a separate living room- type TV/movie viewing area was a good idea as some people preferred to be apart from the meal area. She added that a "sit and sip coffee" area was a good idea, that every other Center had them. She also thought that an exit from the kitchen without going through the main room was a good idea. Mrs. Verrano also suggested making the office and reception areas smaller to allow more room for the Senior functions.

The discussion of the plans for the Annex lasted two hours, and is not quoted in full in these Minutes.

At the end of the discussion, it was agreed that some of Mrs. Held's ideas would be incorporated: moving the bathrooms and having two entrances to them; a bump-out for a formal entryway and lobby; closets and bathroom to be separate from main area, a kitchen exit, the TV viewing area. Mrs. Held's sketches will be given to the architect, and he will be asked to do a quick sketch and have it ready by Friday, July 6th, so that it can be circulated to the Board. After that, there will be a work session of the Board to consider the plans, and then formal approval will be given on Thursday, July 12th.

Mr. Malfitano stated that it would take about 45 days for construction, and he hoped the building would be open by Christmas.

The Board recessed at 9:30 for a short break.

June 28, 2007

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence, and refer it to the Town Planner:

Notification by Town Clerk Ann Leber of the Town of North Castle that the North Castle Town Board will be holding a Public Hearing on July 25, 2007 at 7:30 PM, at 15 Bedford Road, Armonk, NY, for the purpose of considering the adoption of a Local Law to amend Section 213-33.K of the Town of North Castle Town Code to Exempt Landmarked Accessory Structures from Accessory Apartment Waiting Periods.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

THE CONSOLIDATION AND EXPANSION OF VETERANS' PARK
BLOCK 344, LOT 6(6-7)

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 proceeding.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, the Hearing was continued until the Town Board meeting of July 12, 2007.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the Building Inspector, the Assessor and the Commissioner of Public Works.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 281 -- a

AUTHORIZATION FOR POLICE OFFICER ALEXANDRA GRAMIGNA TO ATTEND
MANHATTANVILLE COLLEGE, WINTER SESSION 2007, COST: \$1,900

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for authorization for P.O. Alexandra Gramigna to attend Manhattanville College for the 2007 Winter Session, at a cost of \$1,900 for the following course:

“Communication”

FURTHER RESOLVED that, upon satisfactory completion and submission of attendance and proof of payment, the Comptroller be authorized to audit and upon audit to pay same.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Comptroller and P. O. Graminga.

Adopted by the following vote:

AYES: Councilmen Paladino, Cannella and Scappaticci
Supervisor Malfitano

NAYS: Councilman Vetere

ABSENT: None

June 28, 2007

2007 -- 281 -- b

AUTHORIZATION TO RE-IMBURSE POLICE OFFICER ALEXANDRA GRAMIGNA FOR COSTS RE: MANHATTANVILLE COLLEGE, SPRING SESSION 2007, COST: \$3,760

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for reimbursement to P.O. Alexandra Gramigna for courses taken at Manhattanville College during the 2007 Spring Session, at a cost of \$3,760 for the following courses:

“International Finance” and “Accounting”

FURTHER RESOLVED that, upon satisfactory completion and submission of attendance and proof of payment, the Comptroller be authorized to audit and upon audit to pay same.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police, the Comptroller and P.O. Gramigna.

Adopted by the following vote:

AYES: Councilmen Paladino, Cannella and Scappaticci
Supervisor Malfitano

NAYS: Councilman Vetere

ABSENT: None

June 28, 2007

2007 -- 282

AUTHORIZATION FOR SENIOR RECREATION LEADER NICHOLAS CALLAGY
TO ATTEND THE EMPORIA STATE UNIVERSITY COST: \$659

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Superintendent of Recreation Ron Belmont for authorization for Senior Recreation Leader Nicholas Callagy to take the following course at the Emporia State University, at a total cost of \$659. (Entrance Fee \$30; Course Fee \$629)
“Health & Wellness”

FURTHER RESOLVED that, upon satisfactory completion and submission of attendance and proof of payment, the Comptroller be authorized to audit and upon audit to pay same.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 283

APPROVAL FOR ADDITIONAL PEOPLE TO BE ADDED TO THE PART-TIME
AVAILABILITY LIST FOR THE RECREATION DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Superintendent of Recreation Ron Belmont for the addition of the following people to the Recreation Part-time Availability List:

<u>NAME</u>	<u>HOURLY RATE OF PAY</u>
Carona, Nicole	\$ 5.50
French, William	8.00
Garito, Salvatore	5.50
Horton, Matt	10.00
Jordan, Tappy	5.75
Macchia, Jennifer	5.50
Matos, Rafael	5.50
Pyle, Catherine	5.75
Talts, Nicole	10.00

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 284

AUTHORIZATION FOR SGT. MARK TAMUCCI TO ATTEND D.A.R.E. TRAINING IN
OWEGO, NY SEPTEMBER 16-28, 2007 COST: \$750

On motion of Councilman Cannella, seconded by Councilman Scapaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall for authorization for Sgt. Mark Tamucci to attend the D.A.R.E. Training in Oswego, NY, from September 16th through the 28th, at a cost not to exceed \$750, including the course, lodging and travel expenses. This is a budgeted item.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 285

AUTHORIZATION FOR THE CHIEFS AND MEMBERS OF THE WEST HARRISON FIRE
DEPARTMENT TO ATTEND THE FIREHOUSE EXPO IN BALTIMORE, MARYLAND
JULY 26-28, 2007. COST: NOT TO EXCEED \$5,000

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of West Harrison Fire Chief Pat Galluzzo for authorization for the West Harrison Fire Department Chiefs, Officers and Members to attend the Firehouse Expo in Baltimore, Maryland from July 26 through July 28th.

FURTHER RESOLVED to authorize the Comptroller to issue a check in the amount of \$5,000. to cover the expenses, with any unused funds to be returned to the Comptroller, together with receipts for all expended funds.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 286

AUTHORIZATION FOR A SPECIAL EVENTS PERMIT FOR THE BARCLAY'S CLASSIC
GOLF EVENT AT THE WESTCHESTER COUNTRY CLUB, AUGUST 20-26, 2007

Mr. Mele, Executive Director of the Barclay's Golf Classic, stated that in the event of inclement weather, the tournament would be extended until August 27th. He further stated that the Harrison Police Department and the Fire Department have been notified.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Peter Mele, Executive Director for the Barclays Classic, for authorization for a Special Events Permit for the 41st Annual Barclays Classic, to be held at Westchester Country Club, from August 20-26, 2007.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector, the Town Attorneys, the Commissioner of Public Works, the Superintendent of Recreation, the Director of the Volunteer Ambulance Corps, the Purchase and downtown Fire Departments, the Chief of Police and Mr. Mele.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 287

AUTHORIZATION TO ACCEPT TWO CHECKS, (\$123.00 AND \$24,102.70) FROM
WESTCHESTER COUNTY RE: ASSETS SEIZED AND FORFEITED IN CASES
INVESTIGATED BY THE HARRISON POLICE DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize Chief of Police Dave Hall to accept two (2) checks in the amounts of \$123 and \$24,102.70 from Westchester County for assets seized and forfeited related to cases investigated by the Police Department.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 288

AUTHORIZATION TO ACCEPT A DONATION OF \$50,000
FROM RESIDENT VINCENT CAPPUCCI
TO BE USED FOR A BEAUTIFICATION PROJECT
AT THE INTERSECTION OF NORTH STREET AND RYE RIDGE ROAD

Supervisor Malfitano stated that the area of this project is behind the Gateway sign at the intersection of Rye Ridge Road and North Street. He continued that the Arbor Day Committee had intended to effect a project there, and the Beautification Committee had also studied it. He added that he will be looking for volunteers to provide a landscape design for a passive, low key, park.

Town Clerk Joan Walsh asked if this project would include the ditches along the roadbed that are frequently filled with water. Supervisor Malfitano replied that much of that land is wetlands.

Commissioner of Public Work Wasp stated that his Department would look at curbing to prevent cars from parking in the area.

On motion of Councilman Scappaticci, seconded by Councilman Paladino,

it was

RESOLVED to approve the request of Supervisor Malfitano for authorization to accept a donation from resident Vincent Cappucci, in the amount of \$50,000, to be used for a beautification project in the Town of Harrison at the intersection of North Street and Rye Ridge Road.

FURTHER RESOLVED that these funds be placed in a specific account dedicated to this project.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 289

ACCEPTANCE OF A WATER MAIN EASEMENT AND RIGHT-OF-WAY AGREEMENT
BETWEEN THE TOWN, THE WESTCHESTER JOINT WATERWORKS AND NORMAN
AND JOANNE MATTHEWS ON BLOCK 651, LOT 13, (11 Lincoln Lane)

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the recommendation of Deputy Village Attorney Joseph Latwin for acceptance of an Agreement for a Water Main Easement and Right-of-Way on (11 Lincoln

Lane), Block 651, Lot 13 between Norman S. and Joanne B. Matthews, WJWW and the Town of Harrison.

FURTHER RESOLVED to authorize the Supervisor to sign same.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector, the Town Attorneys, the Assessor, the Manager of the Westchester Joint Water Works, the Town Engineer and Mr. and Mrs. Matthews.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 290

AUTHORIZATION FOR THE DIRECTOR OF PURCHASING TO ADVERTISE AND
RECEIVE BIDS FOR FIRE HOSES FOR FIRE DISTRICTS #1 AND #2.

On motion of Councilman Paladino, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to advertise and receive bids for the purchase of fire hoses for the Fire Districts.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Director of Purchasing and the Chiefs of Fire Districts #1 and #2.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 291

AUTHORIZATION FOR THE DIRECTOR OF PURCHASING TO ADVERTISE AND
RECEIVE BIDS FOR A UTILITY TRUCK FOR FIRE DISTRICT #1

On motion of Councilman Vetere, seconded by Councilman Paladino,

it was

RESOLVED to authorize the Director of Purchasing to advertise and receive bids for a new Utility Truck for the West Harrison Fire Department, Fire District #1.

FURTHER RESOLVED to forward a copy of this Resolution to the Director of Purchasing, the Comptroller and the Chief of the West Harrison Fire Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 292

AUTHORIZATION TO AMEND THE CONTRACT WITH BILOTTA CONSTRUCTION
COMPANY RE: REPAIR WORK ON BARNES LANE DUE TO RECENT FLOODING

Commissioner of Public Works/Acting Town Engineer Bob Wasp stated that the repair work on Barnes Lane, where the dirt under the roadbed had washed out during the recent heavy rains and flooding, was more extensive than originally evaluated. He added that an additional \$2,800 would be needed for additional trap rock.

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to amend the contract with Bilotta Construction Company, and increase the
contract

by an additional \$2,800 for additional trap rock, to a total of \$53,000.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

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APPROVAL FOR ADDITIONAL FEES TO ARCHITECT ROBERT STANZIALE
FOR A RE-DESIGN OF THE MINTZER BULDING SENIOR CITIZEN ANNEX,
IN THE AMOUNT OF \$3,000.

Commissioner of Public Works Bob Wasp stated that there was an additional fee due to architect Robert Stanziale for the re-design of the Mintzer Center Senior Citizen Annex in the amount of \$1,760, for the designs that were presented at this meeting.

Councilman Paladino said there would be added costs to incorporate the changes that had been discussed and agreed to at this Meeting, and increased the requested amount to \$3,000.

On motion of Councilman Paladino, seconded by Councilman Cannella,

it was

RESOLVED to increase the fee to be paid to architect Robert Stanziale for the re-design of the Mintzer Center Senior Citizen Annex by \$3,000.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 -- 294

UPDATE OF FLOOD ASSESSMENT AND MITIGATION
INCLUDING THE DISCUSSION THAT TOOK PLACE AT THE VILLAGE BOARD
MEETING WHICH IMMEDIATELY FOLLOWED THIS TOWN BOARD MEETING.

Acting Town Engineer/Commissioner of Public Works Bob Wasp presented the following information:

From Leonard Jackson Associates (Consulting Engineers) revised Proposal 6/28/07- This proposal identifies three tasks based on discussions with the Board at the May meeting and further review of documents and meetings with DPW and Engineering. The first task (Beaver Swamp Brook Modeling) is scheduled to be completed within 3 weeks. The budget for the work assignments has been modified to \$100,000.00, an increase of \$51,000 above the original authorization of \$49,000.00.

An application was filed with the DEC to perform stream corrective maintenance work for the Beaver Swamp Brook, Brentwood Brook and Mamaroneck River pursuant to the NYSDEC's General Permit Authorization GP-3-07-001. The provisions of this permit are limited to defined activities and subject to a deadline of September 30, 2007. Preliminary meetings are being scheduled with the agency in anticipation of developing a detailed scope of work with a budget.

Draft 2007 capital projects for sanitary sewer and stormwater drains. Following the April flood the Town undertook a series of investigative activities including smoke testing and videotaping of sewers. The findings indicated pipes that need repair or replacement. A preliminary list has been prepared along with an estimated budget. Over the next few weeks we plan to fine tune this information and establish a priority list for consideration by the Board.

Mr. Wasp pointed out that the Permit referred to in Section 2, Permit # GP-3-07-001, which is a NYSDEC General Authorization Permit, expires on September 30th, 2007. He added that he will be sending in a contractor to remove boulders and some sediment.

This discussion was part of the Village meeting, V-2007-085, but is also recorded in the Minutes of the Town Board meeting of this date. The discussion was as follows:

Mr. Wasp had given to the Board a copy of the revised proposal of Leonard Jackson Associates regarding work in the Brentwood Brook, the Beaver Swamp Brook and the Mamaroneck River. He stated that as a result of the flooding from the March and April storms, the Town has a General Permit from the State that will permit clearing obstructions from the streams. Mr. Wasp added that he will seek to hire an outside contractor to supplement the work of the town forces in certain areas, such as the Main Street area in West Harrison.

Trustee Paladino asked if Item B5 in the proposal, concerning the evaluation of stream flow conditions at Ramapo Trail, Woodlands Road and Genesee Trail, would encompass looking at the ponds on Woodlands Road, which have been flooding during the last few days.

Mr. Wasp replied that the evaluation would look at those areas, including the Brentwood channel and the Metro North underpass, Sunny Ridge Road at Harrison Avenue and the Mamaroneck River at the old bridge abutment. Mr. Wasp continued that the (proposed scope of work) is a mix of some small projects and others that are major. He continued that regarding the pipe from the Duck Pond (Union and Nelson Avenue intersection) going south, the TV testing showed there were bad conditions in several sections, so replacing the pipe is not the answer. He further stated that they had come up with a design based on modeling, and now have to consider the impacts in various areas resulting from that design, that is the type of thinking that is being done.

Trustee Vetere asked if the Town will get any part of the \$10 million that is being made available by the County for each of the next five years.

Mr. Wasp said he had already attended a meeting regarding that money, and will be providing the details that the County had asked for.

Trustee Paladino also asked if the outflow from the watershed areas is being studied, and asked about the stream that parallels Woodlands Road, where does that water go.

Mr. Wasp stated that stream goes by Madden Place, then down Woodlands, past Indian Trail and then towards Genesee, then along Union Avenue. He added that this is one area of consideration that they are looking at, as discussed in the third document given to the Board, looking at an alternative crossing under Union Avenue.

Mr. Vetere pointed out that the water now goes down Union Avenue, down Nelson, across Crystal, and eventually under I-95.

Mr. Wasp agreed, saying that they have to find out how much drainage they can divert to one of the legs of the Brentwood channel, adding that one is called the Nelson Avenue leg, and the other is the Brentwood channel which runs behind the schools. If the flow can be split and spread out, then the impact will be lessened.

Trustee Paladino asked if they were looking to have storage areas so that water can be stored, and then released in volumes that will not cause flooding.

Mr. Wasp said that there was so much work to be done, they are now looking at the emergency items. He added that every item listed on the page that had been given to the Board is a direct result of an emergency condition. He further stated that the cost is beyond the \$45,000 that the Board had authorized, but the work needs to be considered.

Mr. Wasp continued that the second package that the Board received was forwarded to NYC DEC, as the Dec had authorized a General Permit for Westchester County which allowed the Town to do things that it would not normally be allowed to do in the three streams. He said that it was an opportunity to accomplish additional work, adding that he would be looking to hire an outside contractor to supplement the town forces, to remove boulders and some of the sediment.

Mr. Wasp further said that the third item presented to the Board is the cumulative result of all the testing that has been done, that his Department and the consultant had put together a list of sanitary and storm drains that need to be repaired or replaced, or entirely new sections installed. He continued that between now and the next meeting, the report will be fine-tuned, and a final report presented to the Board. He added that some are more immediate priority than others as with the flash flood storms that are occurring, there is an immediate need in some areas.

Mayor Malfitano summarized the presentation, stating that the Town has been working very diligently to identify those areas where the pipes and drains are undersized or need to be replaced or new ones installed. Twenty-two such locations have been identified. He continued that the NYS DEC is allowing the Town to enter the two major corridors, the Beaver Brook and the Brentwood Brook, and perform more than the regular maintenance that the town would

otherwise be entitled to do. Mr. Malfitano added that the town would be hiring outside construction firms to remove boulders, sediment and debris, check the embankments and, within the limits of what the Town is allowed to do, improve the flow of the water. He then said that there would be an update at every future Board meeting.

Mr. Malfitano thanked Commissioner Wasp and his staff for their tireless work on these projects.

June 28, 2007

2007 -- 295

MATTERS FOR EXECUTIVE SESSION

Potential Litigation and advice of counsel	1
Personnel	6
Tax Certiorari	1
Settlement of Claim	1
Acquisition of Property	1
Litigation updates	2

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for Executive Session
at 10:15 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was re-convened
at 11:30 PM.

June 28, 2007

2007 -- 296

AUTHORIZATION TO ADD SUMMER EMPLOYEES
TO THE PART-TIME AVAILABILITY LIST

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to add the following students to the part-time availability list:

Jaclyn LePino, Maggie Mauro,

Joseph Hines Amanda Fuller

at the hourly rate of \$10.00, effective July 2, 2007.

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

Adopted by the following vote:

AYES: Councilmen Vetere, Paladino, Cannella and Scappaticci

Supervisor Malfitano

NAYS: None

ABSENT: None

June 28, 2007

2007 – 297

SETTLEMENT OF CLAIM: HANRAHAN vs TOWN OF HARRISON \$1,173.72

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Hanrahan vs Town of Harrison, for damage to a car, in the amount of \$1,173.72.

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, Paladino, Cannella and Scappaticci
Supervisor Malfitano

NAYS: None

ABSENT: None

June 28, 2007

2007 – 298

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES
IN THE MATTER OF GUTHRIE vs TOWN OF HARRISON TO \$30,000

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to raise the cap on the legal fees in the matter of Guthrie vs the Town of Harrison to \$30,000.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 – 299

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES
IN THE MATTER OF CARILLO vs TOWN OF HARRISON TO \$25,000

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to raise the cap on legal fees in the matter of Carillo vs the Town of Harrison to \$25,000.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 28, 2007

2007 – 300

SETTLEMENT OF CERTIORARI: 14 MEADOW LANE, LLC. BLOCK 611 LOT 84(Po40)

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve the following reduction in assessed valuation regarding Block 611, Lot 84(Po40):

<u>YEAR</u>	<u>ORIGINAL</u>	<u>PROPOSED</u>
2004	\$60,340	\$41,200
2005	\$60,340	\$41,200
2006	\$60,340	\$41,200
2007	\$41,200	\$41,200

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

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