

April 17, 2008

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 17th day of April at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh . . . . . Supervisor

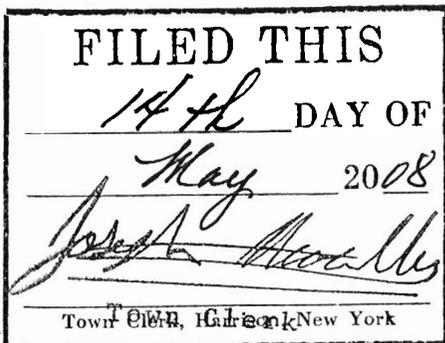
Joseph Cannella     )  
Patrick Vetere       ) . . . . . Councilmen  
Thomas Scappaticci   )  
Fred Sciliano         )

ALSO ATTENDING:

Frank Allegretti . . . . . Town Attorney  
Robert Paladino . . . . . Village Attorney  
Jonathan Kraut . . . . . Deputy Village Attorney  
David Hall . . . . . Chief of Police  
Maureen MacKenzie . . . . . Comptroller  
Judy D'Agostinis . . . . . Director of Purchasing

Copies to:

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



April 17, 2008

2008 - - 228

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the following correspondence and reports:

- 1a. Monthly report from the Fire Marshal for March 2008.
- 1b. Monthly report from the Building Inspector for March 2008.
- 1c. Monthly report from the Town Clerk for March 2008.
- 1d. Quarterly report from the Library Director for January, February and March 2008.
- 1e. Monthly report from the Superintendent of Recreation for March 2008.
- 1f. Monthly report from the Receiver of Taxes for March 2008.
- 1g. Monthly report from the Chief of Police for March 2008.
- 1h. Monthly report from the New Rochelle Humane Society for March 2008.

2. Notification by Marek Kozikowski, Planner I of the Town of Greenwich Planning and Zoning Land Use Department, of the proposed development plans for 63 Church St, Greenwich, Ct, which includes an amendment to the Town of Greenwich Building Zone Map. The Planning & Zoning Commission has scheduled this rezoning application for discussion at a public hearing on May 20, 2008.

3. Letter from Town Resident Roy Aletti regarding the Independence Day fireworks display at the Oakland Avenue field in downtown Harrison. This year, July 4<sup>th</sup> falls on a Friday, and with the economy as it is, the response from residents should be greater than last year's attendance (800 to 900 residents). There was serious discussion to make this an annual event, fully sponsored by the Town, at a cost of \$7,500.

RESOLVED that funding in the amount of \$7,500 is available in the Superintendent of Recreation's budget.

Adopted by the following vote:

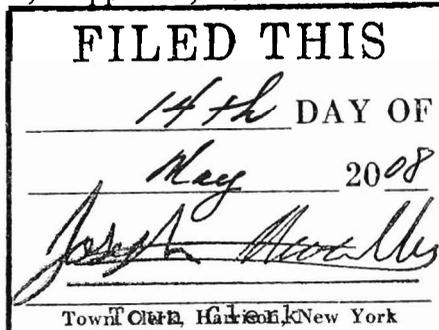
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 17, 2008

2008 - - 229 - - a

PUBLIC HEARING – PURSUANT TO ARTICLE 2, SECTION 10 AND  
ARTICLE 3, SECTION 20 OF THE HOME RULE LAW TO ADD “CHAPTER 45”  
ENTITLED “INTERFERENCE WITH PUBLIC OFFICIALS”  
TO THE CODE OF THE TOWN OF HARRISON

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

Resident Lucille Held asked what the law meant.

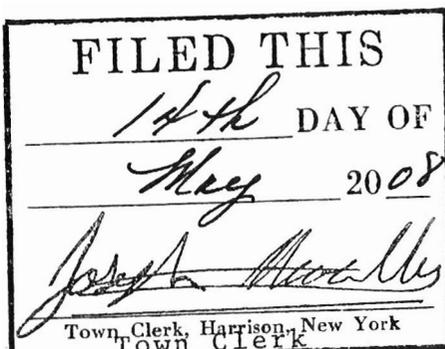
Supervisor Walsh explained that the law was designed to give additional authority to the Building Inspectors and Town Engineers so that they may carry out their duties on private property. For example, Town Officials have the right to enter onto easements which may be located on private property. This law would help in that situation.

Town Attorney Frank Allegretti stated that this law solidifies that no one shall interfere with any Town Official, who is lawfully carrying out a Town function. Mr. Allegretti went on to say that this law covers a variety of officials and it is not just limited to Building Inspectors or Town Engineers.

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

Copies to:

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



April 17, 2008

2008 - - 229 - - b

ADOPTION OF LOCAL LAW NO. 4 PURSUANT TO ARTICLE 2, SECTION 10,  
AND ARTICLE 20, OF THE HOME RULE LAW TO ADD "CHAPTER 45"  
ENTITLED "INTERFERENCE WITH PUBLIC OFFICIALS"  
TO THE CODE OF THE TOWN OF HARRISON.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to add "Chapter 45" entitled "Interference with Public Officials" to the Code of the Town of Harrison.

CHAPTER 45  
INTERFERENCE WITH PUBLIC OFFICIALS

General Provisions.

Section 45-1. Interfering with public officials.

It shall be unlawful for any person to willfully interfere with the performance of a duty by an official of the town or duly appointed representative of the Town Board.

Section 45-2. Penalties for Offenses.

Any person who shall violate any chapter or Article of the Code of the Town of Harrison for which another penalty is not specifically provided shall, upon conviction thereof, be guilty of a violation under the Penal Law and shall be punishable, for each offense, by a fine of not less than \$250 nor more than \$1,000 or by imprisonment for not more than 15 days, or both.

Section 45-3. Enforcement.

Any public servant authorized to issue and serve an appearance ticket with respect to any violation of local law, ordinance or statute or any state law, shall be authorized to issue an appearance ticket for any violation of this Chapter.

Section 45-4. Incorporation of provisions to the Code.

The provisions of this local law are hereby made Chapter 45 of the Code of the Town of Harrison to be entitled "Interference with Public Officials" and the sections of this local law shall be numbered inclusive.

Section 45-5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of the State of New York.

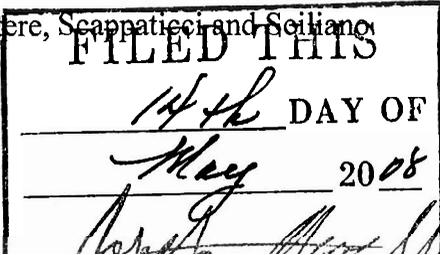
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Clerk and the Town Attorneys.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano,  
Supervisor Walsh

NAYS: None

ABSENT: None



Copies to:

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

April 17, 2008

2008 - - 230 - - a

PUBLIC HEARING – PURSUANT TO ARTICLE 2, SECTION 10 AND ARTICLE 3, SECTION 20 OF THE MUNICIPAL HOME RULE LAW, BY ADDING CHAPTER 105 TO THE TOWN/VILLAGE CODE ENTITLED “BUILDING ENFORCEMENT”,  
A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM AND FIRE PREVENTION AND BUILDING CODE  
BY LOCAL LAW NO. 5 OF 2008.

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

Town Attorney Frank Allegretti stated that three minor changes have been made and asked for them to be entered into the record. Those changes are:

§105-3 -A will read “the Building Inspector and Fire Inspector”

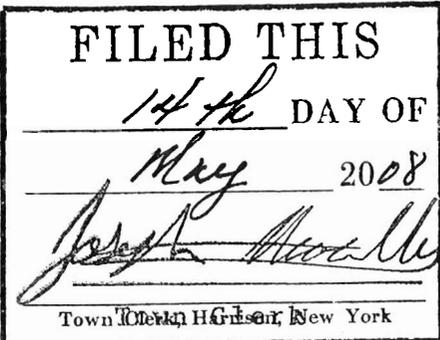
§105-8 included “Fire Inspector” on the second line with the “Building Inspector”

§C Entitled “inspections” crossed out “Building Inspector” and added “Building Inspector and Fire Inspector” because it referenced both.

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

Copies to:

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



April 17, 2008

2008 - - 230 - - b

PURSUANT TO ARTICLE 2, SECTION 10 AND ARTICLE 3, SECTION 20 OF THE MUNICIPAL HOME RULE LAW, BY ADDING CHAPTER 105 TO THE TOWN/VILLAGE CODE ENTITLED "BUILDING ENFORCEMENT", A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM AND FIRE PREVENTION AND BUILDING CODE BY LOCAL LAW NO. 5 OF 2008.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to add Chapter 105 entitled "Building Enforcement" to the Code of the Town of Harrison.

A local law adopting Chapter 105 of the Code of the Town of Harrison for Building Enforcement as authorized by the New York State Constitution, Article IX, Section 2,

**SECTION 1.** Be it enacted by the Town Board of the Town of Harrison, in the County of Westchester, as follows:

**Chapter 105  
BUILDING ENFORCEMENT**

**SECTION 105-1. PURPOSE AND INTENT**

This chapter provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Town of Harrison. This chapter is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this chapter, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this chapter.

**SECTION 105-2. DEFINITIONS**

In this chapter:

"*Building Permit*" shall mean a permit issued pursuant to section 105-4 of this chapter. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this chapter.

"*Certificate of Occupancy*" shall mean a certificate issued pursuant to subdivision (b) of section 105-7 of this chapter.

*“Code Enforcement Official”* shall mean the Building Inspector appointed pursuant to subdivision (b) of section 105-3 of this chapter and the Fire Inspector appointed pursuant to chapter 143.

*“Code Enforcement Personnel”* shall include the Code Enforcement Officer and all Inspectors.

*“Compliance Order”* shall mean an order issued by the Code Enforcement Official and Code Enforcement Officer pursuant to subdivision (a) of section 105-15 of this chapter.

*“Energy Code”* shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

*“Inspector”* shall include the Code Enforcement Officer and shall mean an inspector appointed pursuant to subdivision (d) of section 105-3 of this chapter.

*“Operating Permit”* shall mean a permit issued pursuant to section 105-10 of this chapter. The term *“Operating Permit”* shall also include an Operating Permit which is renewed, amended or extended pursuant to any provision of this chapter.

*“Permit Holder”* shall mean the Person to whom a Building Permit has been issued.

*“Person”* shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

*“Stop Work Order”* shall mean an order issued pursuant to section 105-6 of this chapter.

*“Town”* shall mean the Town of Harrison.

*“Uniform Code”* shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

*“Zoning Code”* shall mean the Zoning Ordinance and Zoning Laws of the Town of Harrison Code, as currently in effect as hereafter amended from time to time.

### **SECTION 105-3. CODE ENFORCEMENT OFFICIAL, OFFICER AND INSPECTORS**

(a) The Building Inspector and the Fire Inspector shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this chapter. The Building Inspector shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Operating Permits, and the plans, specifications and construction documents submitted with such applications;

- (2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, and Operating Permits, and to include in Building Permits, Certificates of Occupancy, and Operating Permits upon such terms and conditions as the Building Inspector may determine to be appropriate;
- (3) to conduct construction inspections, inspections to be made before the issuance of Certificates of Occupancy, and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this chapter;
- (4) to issue Stop Work Orders;
- (5) to review and investigate complaints;
- (6) to issue orders pursuant to subdivision (a) of section 105-15 (Violations) of this chapter;
- (7) to maintain records;
- (8) to collect fees as set by the Town Board of the Town;
- (9) to pursue administrative enforcement actions and proceedings;
- (10) in consultation with this Town's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this chapter, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this chapter; and
- (11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Official by this chapter.

(b) The Building Inspector shall be appointed by appointment by the Town Board. The Building Inspector shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Building Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Building Inspector is unable to serve as such for any reason, an individual shall be appointed by the Town Board to serve as Acting Building Inspector. The Acting Building Inspector shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Building Inspector by this chapter.

(d) One or more Inspectors and/or Code Enforcement Officers may be appointed by the Town Board to act under the supervision and direction of the Building Inspector and to assist the Building Inspector in the exercise of the powers and fulfillment of the duties conferred upon the Building Inspector by this chapter. Each Inspector and Code Enforcement Officer shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector and Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(e) The compensation for the Building Inspector and Inspectors and Code Enforcement Officers shall be fixed from time to time by the Town Board of the Town.

## **SECTION 105-4. BUILDING PERMITS.**

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work that must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Building Inspector.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories:

- (1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);
- (2) installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings;
- (3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;
- (4) construction of temporary motion picture, television and theater stage sets and scenery;
- (5) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings;
- (6) installation of partitions or movable cases less than 5'-9" in height;
- (7) painting, wallpapering, tiling, carpeting, or other similar finish work;
- (8) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- (9) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- (10) repairs, provided that such repairs do not involve (i) the removal or cutting away of a loadbearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Building Inspector. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Building Inspector deems sufficient to permit a determination by the Building Inspector that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

- (1) a description of the proposed work;
- (2) the tax map number and the street address of the premises where the work is to be performed;
- (3) the occupancy classification of any affected building or structure;
- (4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- (5) at least 4 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.
- (6) a copy of all easements, covenants, and planning board and Town board resolutions affecting the property.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents that are accepted as part of the application for a Building Permit shall be marked as accepted by the Building Inspector in writing or by stamp. One set of the accepted construction documents shall be retained by the Building Inspector, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code, the Zoning Code of the Town and all applicable covenants, easements, planning board and Town board resolutions affecting the property. The Building Inspector shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents that were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Building Inspector of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Building Inspector determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire one year after the date of issuance. A Building Permit that has become invalid or that has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Building Inspector.

(j) Revocation or suspension of Building Permits. If the Building Inspector determines that a Building Permit was issued in error for any reason, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Building Inspector shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 105-16 (Fees) of this chapter must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

## **SECTION 105-5. CONSTRUCTION INSPECTIONS.**

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Building Inspector or by an Inspector authorized by the Building Inspector. The Permit Holder shall notify the Building Inspector when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected made, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) building systems, including underground and rough-in;

- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues or gas vents;
- (9) Energy Code compliance; and
- (10) a final inspection after all work authorized by the Building Permit has been completed.

(c) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 105-16 (Fees) of this chapter must be paid prior to or at the time of each inspection performed pursuant to this section.

#### **SECTION 105-6. STOP WORK ORDERS.**

(a) Authority to issue. The Building Inspector or his duly appointed representative is authorized to issue Stop Work Orders pursuant to this section. The Fire Inspector is authorized to issue Stop Work Orders pursuant to this section in connection with violations of chapter 143 provided the Fire Inspector notifies the Building Inspector forthwith. The Building Inspector or his duly appointed representative shall issue a Stop Work Order to halt:

- (1) any work that is determined by the Building Inspector or his duly appointed representative to be contrary to any applicable provision of the Zoning Code, Uniform Code, or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
- (2) any work that, in the opinion of the Building Inspector or his duly appointed representative, is being conducted in a dangerous or unsafe manner without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
- (3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Building Inspector or his duly appointed representative, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Building Inspector or his duly appointed representative shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The address of the owner or permit holder on the application submitted to the Building Department or the address of the owner listed on the tax rolls or the address of the property shall be deemed to be a proper address for such mailing. The Building Inspector or his duly appointed representative shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work that is the subject of the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 105-15 (Violations) of this chapter or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether before, at the time of, or after the issuance of a Stop Work Order.

## **SECTION 105-7. Certificates of Occupancy**

(a) Certificates of Occupancy required. A Certificate of Occupancy shall be required for any work that is the subject of a Building Permit and for all structures, buildings, or portions thereof, that are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy.

(b) Issuance of Certificates of Occupancy. The Building Inspector shall issue a Certificate of Occupancy if the work that was the subject of the Building Permit was completed in accordance with all applicable provisions of the Zoning Code, Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Zoning Code, Uniform Code and Energy Code. The Building Inspector or an Inspector authorized by the Building Inspector shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Building Inspector, at the expense of the applicant for the Certificate of Occupancy, shall be provided to the Building Inspector prior to the issuance of the Certificate of Occupancy:

- (1) a written statement of structural observations and/or a final report of special inspections, and
- (2) flood hazard certifications.

(c) Contents of Certificates of Occupancy. A Certificate of Occupancy shall contain the following information:

- (1) the Building Permit number, if any;
- (2) the date of issuance of the Building Permit, if any;
- (3) the name, address and tax map number of the property;
- (4) if the Certificate of Occupancy is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy is issued;
- (5) the use and occupancy classification of the structure;
- (6) the type of construction of the structure;
- (7) the assembly occupant load of the structure, if any;
- (8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;
- (9) any special conditions imposed in connection with the issuance of the Building Permit; and
- (10) the signature of the Building Inspector issuing the Certificate of Occupancy and the date of issuance.

(d) Revocation or suspension of certificates. If the Building Inspector determines that a Certificate of Occupancy was issued in error for any reason, and if the relevant deficiencies are not corrected to the satisfaction of the Building Inspector within such period of time as shall be specified by the Building Inspector, the Building Inspector shall revoke or suspend such certificate.

(e) Fee. The fee specified in or determined in accordance with the provisions set forth in section 105-16 (Fees) of this chapter must be paid at the time of submission of an application for a Certificate of Occupancy.

#### **SECTION 105-8. NOTIFICATION REGARDING FIRE OR EXPLOSION.**

The chief of any fire department providing fire fighting services for a property within this Town shall promptly notify the Fire Inspector and Building Inspector of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

#### **SECTION 105-9. UNSAFE BUILDING AND STRUCTURES**

Unsafe structures and equipment in this Town shall be identified and addressed in accordance with chapters 109 and 143.

#### **SECTION 105-10. OPERATING PERMITS.**

(a) Operation Permits required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

- (1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled “Fire Code of New York State” and incorporated by reference in 19 NYCRR section 1225.1;
- (2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;
- (3) use of pyrotechnic devices in assembly occupancies;
- (4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and
- (5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board of this Town.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Building Inspector or Fire Inspector. Such application shall include such information as the Building Inspector or Fire Inspector deems sufficient to permit a determination by the Building Inspector or Fire Inspector that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Building Inspector or Fire Inspector determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Building Inspector or Fire Inspector, at the expense of the applicant.

(c) Inspections. The Building Inspector, Fire Inspector or an Inspector authorized by either Inspector shall inspect the subject premises before the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Building Inspector or Fire Inspector may require a separate Operating Permit for each such activity, or the Building Inspector or Fire Inspector may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating permits shall be issued for such period of time, not to exceed one year in the case of any Operating Permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Building Inspector or Fire Inspector to be consistent with local conditions. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Building Inspector or Fire Inspector, payment of the applicable fee, and approval of such application by the Building Inspector or Fire Inspector.

(f) Revocation or suspension of Operating Permits. If the Building Inspector or Fire Inspector determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 105-16 (Fees) of this chapter must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

## **SECTION 105-11. FIRE SAFETY INSPECTIONS**

(a) Inspections required. Fire safety inspections of buildings and structures shall be performed by the Fire Inspector or Inspector designated by the Fire Inspector at the following intervals:

(1) Fire safety inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months.

(2) Fire safety inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

(3) Fire safety inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every twenty-four (24) months.

(b) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Building Inspector, Fire Inspector or an Inspector designated by the Building Inspector or Fire Inspector at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Building Inspector or Fire Inspector of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Building Inspector or Fire Inspector of any other information, reasonably believed by the Building Inspector or Fire Inspector to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspections. Nothing in this section or in any other provision of this chapter shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 105-16 (Fees) of this chapter must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

## **SECTION 105-12. COMPLAINTS**

The Building Inspector or Fire Inspector shall review and investigate complaints that allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this chapter, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Building Inspector or Fire Inspector may deem to be appropriate:

- (a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 105-15 (Violations) of this chapter;
- (c) if appropriate, issuing a Stop Work Order;
- (d) if a violation that was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

## **SECTION 105-13. RECORD KEEPING.**

- (a) The Building Inspector and Fire Inspector shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:
  - (1) all applications received, reviewed and approved or denied;
  - (2) all plans, specifications and construction documents approved;
  - (3) all inspections and tests performed;
  - (4) all statements and reports issued;
  - (5) all complaints received;
  - (6) all investigations conducted;
  - (7) all other features and activities specified in or contemplated by sections 4 through 7, inclusive, of this chapter, and
  - (8) all fees charged and collected.
- (b) The Building Inspector shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:
  - (1) all Building Permits, Certificates of Occupancy, Temporary Certificates, and Stop Work Orders issued;

(c) The Fire Inspector shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all Operating Permits issued;

(d) All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

## **SECTION 105-14. PROGRAM REVIEW AND REPORTING**

(a) The Building Inspector and Fire Inspector shall annually submit to Town Board of this Town a written report and summary of all business conducted by the Building Inspector and the Fire Inspector, including a report and summary of all transactions and activities described in section 105-13 (Record Keeping) of this chapter and a report and summary of all appeals or litigation pending or concluded.

(b) The Building Inspector shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.

(c) The Building Inspector shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this Town is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this Town in connection with administration and enforcement of the Uniform Code.

## **SECTION 105-15: VIOLATIONS**

(a) Compliance Orders. The Building Inspector or Fire Inspector is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this chapter. Upon finding that any such condition or activity exists, the Building Inspector or Fire Inspector shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Building Inspector or Fire Inspector; (3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this chapter; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this chapter which is/are violated by the specified condition or activity; (5) specify the period of time which the Building Inspector or Fire Inspector deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Building Inspector or Fire Inspector shall cause the Compliance Order, or a copy thereof, to be served on the owner of the affected property personally or by certified mail. The Building Inspector or Fire Inspector shall be permitted, but not required, to cause the Compliance Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure

to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Building Inspector, Fire Inspector and each Inspector and Code Enforcement Officer are authorized to issue appearance tickets for any violation of the Uniform Code, the Energy Code or this chapter.

(c) Civil Penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this chapter, or any term or condition of any Building Permit, Certificate of Occupancy, Stop Work Order, Operating Permit or other notice or order issued by the Building Inspector or Fire Inspector pursuant to any provision of this chapter, shall be liable to a civil penalty of not more than \$1,000.00 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Town by the Town Attorney.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Zoning Code, Uniform Code, the Energy Code, this chapter, or any term or condition of any Building Permit, Certificate of Occupancy, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Building Inspector or Fire Inspector pursuant to any provision of this chapter. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Zoning Code, Uniform Code, the Energy Code, this chapter, or any Stop Work Order, Compliance Order or other order obtained under the Zoning Code, Uniform Code, the Energy Code or this chapter, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. The Town Board hereby authorizes the Building Inspector or Fire Inspector to commence an action or proceeding described in this subdivision upon appropriate authorization from the Town Attorney.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this chapter, in any other section of this chapter, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this chapter, in any other section of this chapter, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 381 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 381 of the Executive Law.

**SECTION 105-16: FEES**

The fees shall be as set forth in the most current resolution of the Town Board fixing the fee pursuant to section 137-1 of the Town Code. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Building Inspector or Fire Inspector described in or contemplated by this chapter.

**SECTION 105-17. PARTIAL INVALIDITY**

If any section of this chapter shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this chapter.

**SECTION 2. EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

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

Adopted by the following vote:

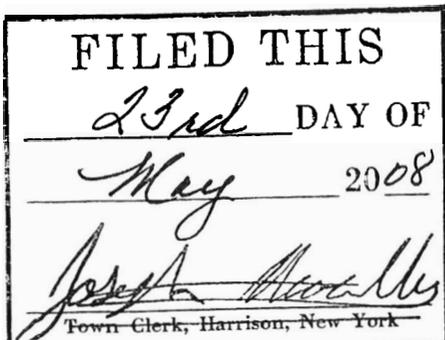
AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

**Copies to:**

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



April 17, 2008

2008 - - 231

AUTHORIZATION FOR THE ADDITIONS TO  
THE RECREATION PART-TIME AVAILABILITY LIST

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

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

<u>NAME</u>	<u>HOURLY RATE</u>
Ackerly, Laura	\$10.00
Annunziato, David	6.00
Bayer, Cory	6.00
DeLibero, Nicholas	6.75
DeCarlo, Marissa	6.00
Jacobowitz, Bryan (LG)	7.50
Murabito, Christopher (LG) 8.25	6.75
Scofield, Carolyn	10.00
Stein, LeAnn	10.00

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:

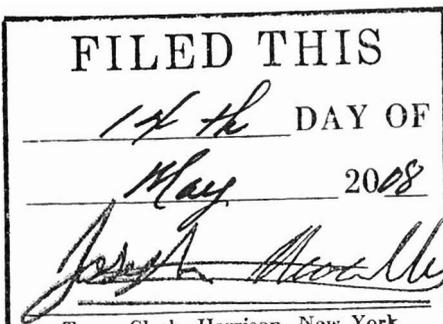
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 17, 2008

2008 - - 232

AUTHORIZATION FOR BUDGET TRANSFERS AND MODIFICATIONS  
FOR YEAR-END 2007

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for authorization for the following budget transfers and modifications for year-end 2007.

**Decrease:**

001-1900-100-4490 Town-Contingency	47,206
001-9000-100-0845 Town-Life Insurance	2,420
001-9000-100-0870 Town-Dental	764
001-9000-100-0875 Town-Vision	611
<b>Total</b>	<b>51,001</b>

**Increase:**

001-9000-100-0860 Town-Major Medical	33,210
001-9000-100-0861 Town-Medicare Reimbursement	751
001-9000-100-0865 Town-Health Insurance Buyout	11
001-9000-100-0840 Town-Workers Compensation	15,804
001-9000-100-0880 Town-Welfare Benefits	1,225
<b>Total</b>	<b>51,001</b>

**To cover year end over expenditures**

**Decrease:**

012-8311-100-0860 1,547  
Water #2-Major Medical

012-9000-100-0861 1,122  
Water #2-Medicare Reimbursements

**Total 2,669**

**Increase:**

012-9000-100-0840 2,669  
Water #2-Workers Compensation

**Total 2,669**

**Decrease:**

012-8311-100-0404 1,703  
Water #2-Fuel

012-8311-100-0407 7,278  
Water #2-Special Service

012-8311-100-0418 4,000  
Water #2-Telephone

012-8311-100-0420 2,651  
Water #2-PASNY

012-8311-100-0422 2,000  
Water #2-Gas Heat

012-9501-100-0907 21,924  
Water #2-Transfer to Debt Service

**Total 39,556**

**Increase:**

012-8311-100-0440 350  
Water #2-Tax-Property

012-8311-100-0497 38,343  
Water #2-Interest Exp. To Other Funds

012-8311-100-4451 863  
Water #2-Cost of Bond Issuance

**Total 39,556**

**To cover year end over expenditures**

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

**Copies to:**

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

FILED THIS

*14<sup>th</sup>* DAY OF

*May* 2008

*Joseph A. ...*  
Town Clerk, Harrison, New York

April 17, 2008

2008 -- 233

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

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

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

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

Adopted by the following vote:

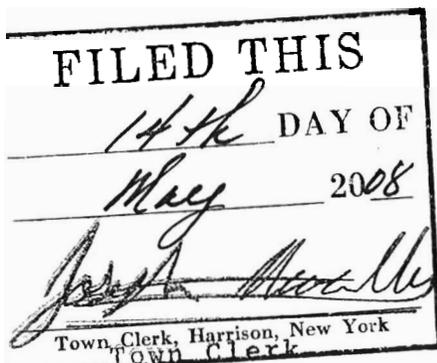
AYES: Councilman Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 17, 2008

2008 - - 234

BID AWARD TO LITE CONCEPTS, LTD, YONKERS, NY  
FOR MISCELLANEOUS ITEMS

Councilman Scappaticci asked why some of the same requests were in the Village Agenda.

Director of Purchasing Judy D'Agostinis explained that the reason is because some of the materials will be paid for under both budgets. The quantity of the product does not double; the request is just listed both times.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for a Bid Award to Lite Concepts, Ltd, 540 Nepperhan Avenue, Yonkers, NY 10701, having met all the requirements of the specifications at their Bid Prices as follows:

<u>APPROXIMATE</u> <u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
300	<b><u>#GTL 15 TIME DELAY FUSE</u></b> BRAND/MODEL OFFERED: Ferraz Shamut	\$ .85
100	<b><u>#GTL 20 TIME DELAY FUSE</u></b> BRAND/MODEL OFFERED: Ferraz Shamut	\$ .85
100	<b><u>FISHER-PIERCE #7841</u></b> <b><u>ASTRODOME PHOTOCCELL</u></b> BRAND/MODEL OFFERED:	\$ 12.50
100	<b><u>WOODHEAD BRAND</u></b> <b><u>PIGTAIL SOCKET</u></b> BRAND/MODEL OFFERED: Woodhead	\$ 6.00
100	<b><u>ALR US-30 STARTER</u></b> BRAND/MODEL OFFERED: ALR	\$28.00
100	<b><u>G.E. #35-967410-51 STARTER</u></b> BRAND/MODEL OFFERED: General Electric	\$ 45.00

300	<b><u>FISHER-PIERCE #7760</u></b> <b><u>TWIST LOCK PHOTOCCELL</u></b>	\$ 6.00
	BRAND/MODEL OFFERED: Fisher-Pierce	
25	<b><u>G.E. #M2AR07S1H2GMS21 70W</u></b> <b><u>HPS POWER DOOR COBRA HEAD</u></b>	\$160.00
	BRAND/MODEL OFFERED: General Electric	
25	<b><u>G.E. #M2AR10S1H2GMS2 100W</u></b> <b><u>HPS POWER DOOR COBRA HEAD</u></b>	\$160.00
	BRAND/MODEL OFFERED: General Electric	
20	<b><u>G.E. #M2AR15S1H2GMS21 150W</u></b> <b><u>HPS POWER DOOR COBRA HEAD</u></b>	\$160.00
	BRAND/MODEL OFFERED: General Electric	
10	<b><u>G.E. #M2AR25S1H2GMS21 250W</u></b> <b><u>HPS POWER DOOR COBRA HEAD</u></b>	\$160.00
	BRAND/MODEL OFFERED: General Electric	
10	<b><u>G.E. #MDRL40S1A22RMS21 400W</u></b> <b><u>HPS POWER DOOR COBRA HEAD</u></b>	\$185.00
	BRAND/MODEL OFFERED: General Electric	
10	<b><u>G.E. 100W HPS T &amp; C HEAD W/PHOTO TAP</u></b>	
	BRAND/MODEL OFFERED: General Electric \$225.00	
10	<b><u>HOLOPHANE 150W HPS HEAD W/</u></b> <b><u>RECEPTACLE W/PHOTO TAP</u></b>	\$850.00
	BRAND/MODEL OFFERED: Holophane (Lamp included)	
5	<b><u>6' TAPERED ELLIPTICAL ARM</u></b> <b><u>FOR WOOD POLE</u></b>	\$ 80.00
	BRAND/MODEL OFFERED: Flagpoles, Inc.	
5	<b><u>SHAKESPEARE AS140151 BB01</u></b> <b><u>FIBERGLASS POLE W/SHROUD</u></b>	\$850.00
	BRAND/MODEL OFFERED: Shakespeare	
4	<b><u>12' ALUMINUM 3-BOLT BASE,</u></b> <b><u>HAND HOLE COVER</u></b>	\$425.00
	BRAND/MODEL OFFERED: Flagpoles, Inc.	
4	<b><u>G.E. MB-PECTL MOUNTING BRACKET</u></b>	\$ 25.00
	BRAND/MODEL OFFERED: General Electric	

50

**G.E. 35-964960-55 PE RECEPTACLE**     \$ 38.00  
BRAND/MODEL OFFERED: General Electric

FURTHER RESOLVED that funding is available in the Street Lighting operating budget.

FURTHER RESOLVED to authorize 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 Comptroller, the Director of Purchasing and the Commissioner of Public Works.

Adopted by the following vote:

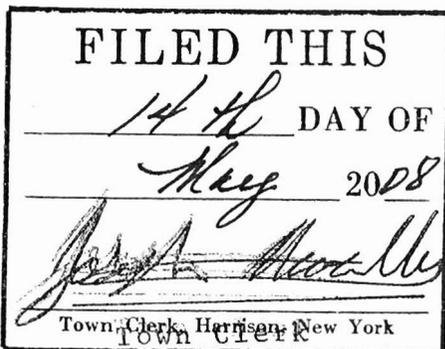
AYES:            Councilmen Cannella, Vetere, Scappaticci and Sciliano  
                      Supervisor Walsh

NAYS:            None

ABSENT:        None

**Copies to:**

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



April 17, 2008

2008 - - 235

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR THE CHURCH OF ST. ANTHONY OF PADUA TO HOLD THEIR FESTA ON JUNE 6<sup>TH</sup>, 7<sup>TH</sup> AND 8<sup>TH</sup>, WITH FURTHER AUTHORIZATION TO HOLD A PROCESSION THROUGH THE STREETS OF WEST HARRISON ON JUNE 8<sup>TH</sup> IN THE MORNING

On motion of Councilman Scappaticci, seconded by Councilman Cannella,  
it was

RESOLVED to approve the request of Rev. Christopher Monturo of the Church of St. Anthony of Padua for a Special Events Permit to hold their Festa on June 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup>, 2008 including authorization to hold their procession through the streets of West Harrison, beginning at 11:15 AM, starting at the Church. (A copy of the route is attached)

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that, as in the past, a sanitation truck be stationed on the Festa grounds during the three days of the event.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Chief of Police, the Chief of the West Harrison Fire Department, the Director of the HVAC and Rev. Monturo.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Sciliano  
Supervisor Walsh

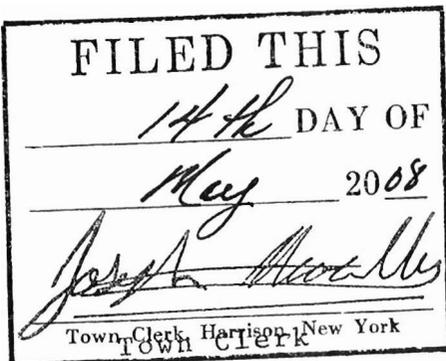
NAYS: None

ABSENT: None

Copies to:

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

*Rev. Monturo*



April 17, 2008

2008 -- 236

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR CALVARY HOSPITAL FOR THEIR 20<sup>TH</sup> ANNUAL GOLF AND TENNIS CLASSIC AT BRAE BURN COUNTRY CLUB ON AUGUST 4, 2008

On motion of Councilman Vetere, seconded by Councilman Scappaticci,  
it was

RESOLVED to approve the request of Vincent Spinelli, Executive Vice President, of Calvary Hospital, for a Special Events Permit for Calvary Hospital's 20<sup>th</sup> Annual Golf and Tennis Classic on Monday, August 4, 2008 at Brae Burn Country Club.

FURTHER RESOLVED that Certificates of Insurance and Indemnification be submitted.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys, the Chief of Police, the Chief of the Purchase Fire Department and Mr. Spinelli.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Sciliano and Scappaticci  
Supervisor Walsh

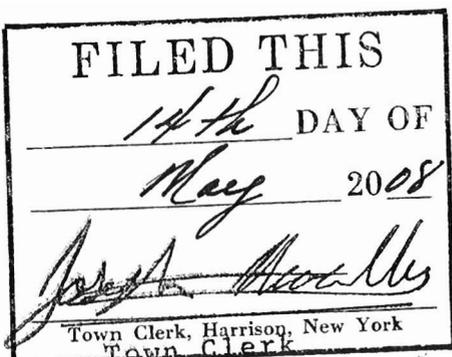
NAYS: None

ABSENT: None

Copies to:

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

*Mr. Spinelli*



April 17, 2008

2008 - - 237

AWARD FOR REQUEST FOR PROPOSAL (RFP) FOR A CONCESSION AT THE  
BERNIE GUAGNINI PARK TO LEPINO SNACK BAR, HARRISON, NY

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to award this Request for Proposal (RFP) for a Concession at the Bernie Guagnini Park to LePino Snack Bar, 137 Webster Avenue, Harrison, NY, in accordance with attached (refer to exhibits.)

FURTHER RESOLVED to authorize the Supervisor to execute the contract, which the Law Department has prepared.

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

Adopted by the following vote:

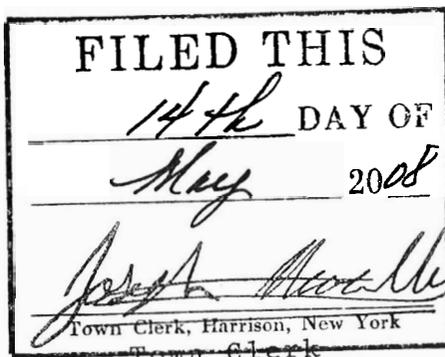
AYES: Councilmen Cannella, Vetere, Sciliano and Scappaticci  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 17, 2008

2008 - - 238

APPROVAL TO SET THE DATE OF MAY 15<sup>TH</sup> FOR A PUBLIC HEARING  
RE: NEW LOCAL LAW REGULATING CABLE SERVICE PROVIDERS  
IN OUR RIGHT OF WAY

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Town Attorney Frank Allegretti for authorization to set the date of May 15, 2008 for a Public Hearing re: New Local Law regulating Cable Service Providers in our right of way.

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

Adopted by the following vote:

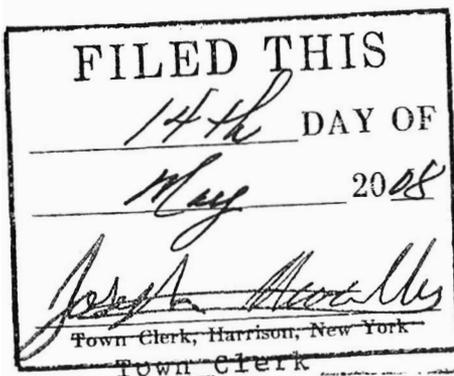
AYES: Councilmen Cannella, Vetere, Sciliano and Scappaticci  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 17, 2008

2008 - - 239

APPROVAL OF THE PROPOSAL FROM COMPLUS DATA INNOVATIONS, INC.  
FOR "PARKING TICKET MANAGEMENT SERVICES"

Stephen Hittman, a representative of Complus Data Innovations, Inc. addressed the Board and stated that his company will assist the Town of Harrison with everything other than writing tickets and adjudications. Mr. Hittman continued by stating that Complus will be providing the Town with certain equipment as well as obtaining names and addresses of the persons who have received parking summonses in Harrison regardless of the state they reside in. The reason for this is because Complus will send out notifications on behalf of the Town of Harrison Court to said violators stating they have not answered their parking violation.

Councilman Scappaticci asked Mr. Hittman how Complus was going to help with the writing of the tickets.

Mr. Hittman responded by saying that Complus will be providing handheld computers to the Town for issuing the parking tickets. These handheld computers will enable the Parking Enforcement Officers to print out a computer generated ticket instead of a written one. The Town would also build a database of parking violations by using these handheld computers which would aide the Town in searching for scofflaw violators. Complus would also aide the Town in sending correspondences to said violators who have failed to pay the summonses.

Court Clerk Rosemary King addressed the Board and stated that the Harrison Court has numerous parking summonses which have not been answered because many of the violators do not live in Town. Many violators feel that because they are simply visiting Harrison briefly and reside in another Town or State they can get away with not paying the summons. The Court sends notices to these said violators making them aware of their unpaid summons. However, many notices return unanswered. Mrs. King went on to state that because the Court has so many unanswered tickets the Town is losing a lot of money. Complus will work with DMV to locate the scofflaw violators regardless of their place of residence and aide in the suspension of their registration if the law permits. In New York, by not paying three parking tickets, a person's registration is automatically suspended. Mrs. King proceeded to say that she has visited about six of the twenty local Courts who use Complus and they are all very satisfied with them. She continued by stating that currently, the Harrison Court has about a 75% answer rate when it comes to violators paying parking summonses. Complus guarantees a 97% answer rate.

Mr. Scappaticci asked how much money the service would cost.

Mr. Hittman replied that Complus would provide the handheld computers to the Town for free and would ensure they are always in working order. Complus receives 12% of the revenue the Town receives from paid summonses.

Deputy Village Attorney Jonathan Kraut asked what provisions are in the contract between the Town and Complus if the Town were to terminate their services.

Court Clerk Rosemary King responded that the answer was in the agreement.

Mr. Kraut asked to see the agreement and asked what happens to the database of parking violations if the Town were to terminate its agreement with Complus.

Mr. Hittman stated that the data belongs to the Town and part of the contract states that the Town would receive the data if the agreement between the two were to end.

Supervisor Walsh stated that she understands that Complus will be providing the Town with two handheld computers for writing tickets however, she asked what happens if the Town were to request a third computer.

Mr. Hittman replied that a third handheld computer could be provided after discussion and review of the use of the two existing computers.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Court Clerk Rosemary King for authorization of the proposal from Complus Data Innovations, Inc, for "Parking Ticket Management Services" subject to review by the Law Department.

FURTHER RESOLVED that funding will come from the increased revenue and will be charged to Account #001-1110-100-0407, Special Services.

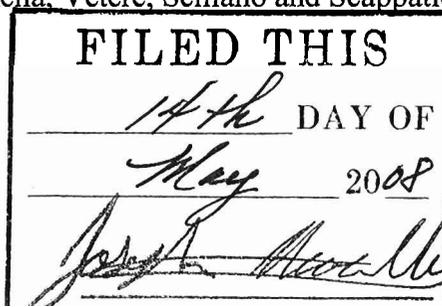
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Court Clerk.

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Sciliano and Scappaticci  
Supervisor Walsh

NAYS: None

ABSENT: None



Copies to:

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

April 17, 2008

2008 - - 240

APPROVAL OF A SPECIAL EVENTS PERMIT FOR ALAN PARTY RENTALS FOR  
A FUNDRAISER FOR THE SCHOOL OF THE HOLY CHILD TO BE HELD ON THE  
GROUNDS OF WESTCHESTER COUNTRY CLUB

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Robert Fox, President of Alan Party Rentals for a Special Events Permit for a fundraiser for the School of the Holy Child on April 26, 2008, to be held on the grounds of the Westchester Country Club.

FURTHER RESOLVED that a Certificate of Insurance be forwarded to the Town Attorneys and file for necessary permits with the Building Department and the Fire Marshall.

FURTHER RESOLVED that the fee be waived.

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

Adopted by the following vote:

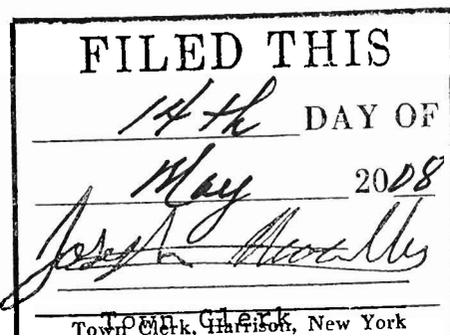
AYES: Councilmen Cannella, Vetere, Sciliano and Scappaticci  
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



April 17, 2008

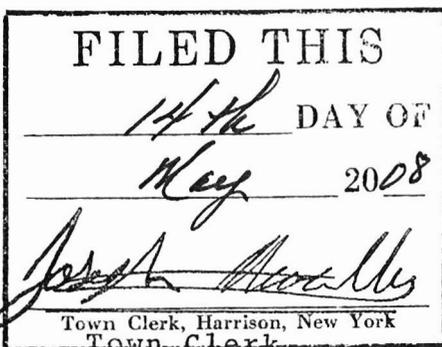
2008 - - 241

TABLED: REQUEST BY RESIDENT JUDY GOLDSTEIN TO WITHDRAW HER HOME FROM THE COUNTY'S MAMARONECK VALLEY SEWER DISTRICT

The matter is tabled until the May 1<sup>st</sup> meeting.

Copies to:

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



April 17, 2008

2008 - - 242 - - a

DISCUSSION RE: TOWN CAR POLICY

Supervisor Walsh stated that there are minor changes to the draft version of the Town Car Policy that was handed out earlier to the Board. There are a total of 30 cars which are assigned to Town employees plus two which will be assigned when a new Town Engineer and Building Inspector are appointed. This total does not include the cars assigned to members of the Police Department. Additional changes to the policy from Supervisor Walsh include Section IX, which reads "at the end of the year, a 1099 form will be issued to cover the cost of this benefit to the employee, officer or official, at the re-imburement rate for that year as set for in the IRS regulations." Supervisor Walsh stated that the Comptroller corrected her and made her aware that this type of reimbursement is on a W2 form.

Village Attorney Robert Paladino stated that the Community Services Department asked that the Senior Transport van be made exempt from part VII of the policy which reads "No persons, other than Town employees, officers, officials or individuals conducting business with the Town, may at any given time ride in a Town-owned vehicle." Mr. Paladino explained the reason for this exemption request is that the Senior Transport van picks up senior citizens from Town and drives them to the store, doctors appointments etc.

Mrs. Walsh agreed with this exemption.

Councilman Scappaticci asked that Part III of the policy which reads "Personnel shall not utilize or operate a town vehicle out of New York State nor travel a distance greater than thirty miles from the Town Limits, without the express authorization of their Department Head or, in the case of a Department Head, without the express authorization of the Supervisor/Mayor" be changed. His wishes are that the authorization be from the Town Board.

Mr. Scappaticci asked why the Fire Chiefs were not on the list of authorized Town Officials.

Mrs. Walsh was told that the Fire Chiefs were not apart of this policy.

Mr. Scappaticci asked why the Police Lieutenants were not on the list of authorized Town employees who are assigned vehicles.

Mrs. Walsh replied that many of the Police personnel were not included on the list. She went on to say that Town Clerk, Joseph Acocella stated that the Police K-9 Officers were not included on the list and also need vehicles.

Mr. Scappaticci agreed and recommended the K9 Officers be put on the list.

Councilman Cannella stated there were many people that were not included on the list and asked for the matter to be tabled to the next meeting while the proposed policy is circulated to the Department Heads and given proper feedback from them.

Harrison resident, Roy Porto, addressed the Board stating that he disagreed with the policy and said it is his belief that the Town Board is giving employees cars to take home as a perk and not a necessity. Mr. Porto does not believe Police Lieutenants, or highway foreman's need to take vehicles home because the Town is spending almost \$4 a gallon on gas which, in his estimate comes out to \$5,000 a week or a \$250,000 a year to run the vehicles. He went on to say that when the original policy was instituted in 1993 there were 27 Town employees authorized to use Town vehicles, the list is currently at 52. He said that employees who need Town cars during the day should leave them at work at night instead of commuting back and forth to their homes with them. He also believes that many of the Town vehicles should have larger emblems on the side of them to signify it is a Town vehicle.

Mr. Cannella stated he wanted it to be clear to the public that the Town is not gifting cars to certain employees for personal errands. The accommodation that is being provided is for the employee to go to and from work. The reason why employees do not park their Town cars at work overnight is because many employees such as foremen, inspectors etc. go directly to a job site from home.

Mr. Porto read the Town Car Use Policy from 1993.

Mrs. Lucille Held stated that she thought it was delightful that Mr. Cannella read where they're suppose to go and how they're suppose to go, we have no punishment when they're using cars when they're not supposed to be.

Mr. Cannella responded by saying that any person who violates this policy shall be subject to disciplinary action and at the discretion of the Department Head or in the case of a Department Head, the discretion of the Town Supervisor.

Mrs. Held asked how it is carried out. She said her cousin called her from Armonk, and stated that a Harrison Town car was there with the Harrison logo. Mrs. Held went on to say "then, we're informed by a person who, standing at the podium, says he has to use the car because he goes out to fires all the time, so through the FOIL I ask for the amount of times he went out to fires in five years. He went out two (2) times. We then find out that the same person has his child in the car while looking at the storm when we had the big hurricane, what happens when you have a law that's not able to be carried out, it's nothing. How many people has the town taken in on a list that who have done exactly what that paper says they should not do. Give me an answer, 50, one, then a car is found in Vermont. This is just as important as the illegal occupants".

Mr. Cannella replied that they can't answer the question, because the violation would go to the Department Heads, who would deal with it in a disciplinary matter in their own department. It's only if the violation involved a Department Head that that violation would come before the Board.

Mrs. Held answered that the Town should have a program like we were going to have for illegal occupants and find out how this works, why it works the way it works, and if it works incorrectly it should be corrected. At \$3.59 a gallon someone is going to a fire in the middle of the night that under the FOIL there is no such thing.

Mr. Porto again spoke that when Mr. Cannella talks about a disciplinary judgment of a Foreman Department Head, if you're liked you don't get punished, if you're not liked you get punished. It has to be in writing what the punishment will be, not just that it goes to the Department Head.

Deputy Village Attorney Jonathan Kraut asked to address that point, you can add any language you want but you can't necessarily initiate certain contractual rights and depending on which employee you're talking about, what the process is for disciplining, it's not like you can just say it's a \$500 fine or a \$1,000 fine. It really does base on circumstances.

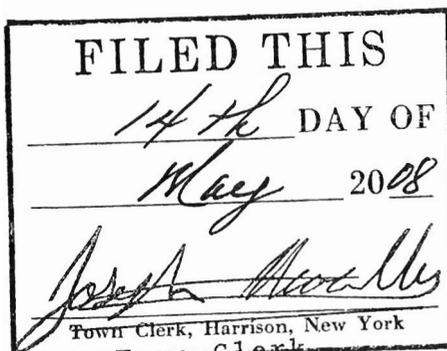
Mr. Porto replied that every car, foreman or whoever, should not have two vehicles.

Supervisor Walsh agreed that no one should have two vehicles. She will investigate it.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor the matter was tabled until the May 1<sup>st</sup> Town Board Meeting.

Copies to:

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



April 17, 2008

2008 - - 242 - - b

DISCUSSION: RE: SENIOR CENTER

Resident Lucille Held addressed the Board on old business regarding building of the Senior Citizen Center that she was in on every part including the bidding, opening of the bids, etc., Mrs. Held stated at the bidding the highest bid was \$1,780, the lowest bid was \$1,219,000. In her business (for the General Contractor) she finds that when she gets quotes, she gets the high and the low, divides it in between and that's where she finds the cost. Mrs. Held continued by stating she thought Mr. Sciliano will agree. Mrs. Held stated she went to the bidding and everybody was aghast that the price came in at \$1.9 million, including the plumbing, the air conditioning and the electric. She was mortified to see what was going on and even the Architect was surprised at what went on. Mrs. Held stated that she was surprised when Mr. Wasp said that he was delighted and thought it was a good bid for the building to come in at \$1,219,000. Mrs. Held stated that was not the truth of the matter, and the truth of the matter is that we are looking at \$3,000,000 when we cannot afford it. Mrs. Held said that our \$3,000,000 comes to us because now we're going to bond it, so now we're at \$1,400,000 just to bond it, without the bonding of the HVAC and without the bonding of the plumbing. We're also at this stage knowing it's going to cost us \$700 and some odd thousand dollars for the interest on that bonding. We also know that we have \$3,000,000 in our coffers. We also know that Mr. McCaul at one stage said, years ago, when his people were down here looking at the books, that 10% of our budget should be in reserve in our capital. We are spending, unfortunately, at a rate that is unbelievable, in the sight that we do not have money. Prioritizing, we've gone through a period of non-prioritizing which has put us into this situation we have got to learn that we cannot spend. Mrs. Held said she's a senior citizen, and is in favor of a senior center, she spent her money, her time, her energy designing a senior citizen center, however the only thing we can guarantee is health, welfare, security, that is first.

Mr. Cannella explained he is happy to have a wonderful facility for the seniors. However, he stated we had a facility that was going to be more modest and less pricey. You (Mrs. Held) came here with very good comments, prodded us and gave speeches, screamed at us, embarrassed us, we made certain modifications that we thought were great but maybe was not absolutely necessary, but for the benefit of the seniors we did it. You probably personally added about \$400,000 to that facility and to have you come here now is outrageous.

Mrs. Held responded by saying that today she received two bids on what the project should really cost. Mrs. Held continued by stating there is no community in Westchester County that has two senior centers. The pricing we have received does not include the parking lot, the furniture etc.

Supervisor Walsh stated that the bid has been awarded, it is going to be built and they (the Board) are going to look at various parts of it to make sure there is nothing that is excessive in it. There will be parking that will be added to it. Mrs. Walsh continued saying she is as much cost conscience as she (Mrs. Held) is and my mantra all the time is even if it's in the budget you may not be able to get it. Supervisor Walsh stated when you talk about having two senior centers, one at each end of town; there are 100 people who gather at least once a week, the bingo on Thursday or on Friday. To say we should only have one senior building doesn't make sense.

Mrs. Held responded by stating Port Chester and White Plains is bigger than us and they all go to one center.

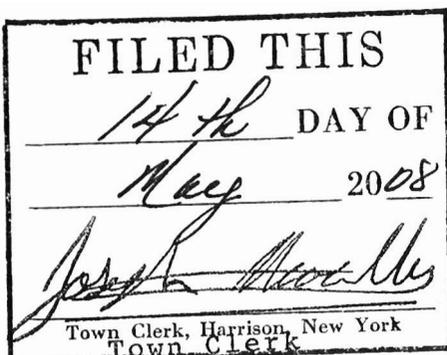
Mrs. Walsh stated that we have to build something. "We are not going to build something that can hold 200 people. And if we didn't build anything, we couldn't bring the Silver Lake people downtown because the Veterans' building won't hold another 100 people".

Mrs. Held replied that she wants to thank Supervisor Walsh, for trying to satisfy the senior citizens and stated she was here as a resident of Harrison who is paying taxes and who spends much of her time working for the Town on these issues.

Supervisor Walsh stated that a senior center will be built and it will be one the Town can and will be proud of.

Copies to:

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



April 17, 2008

2008 - - 243  
MATTERS FOR EXECUTIVE SESSION

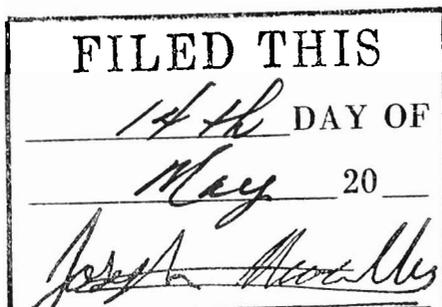
Personnel 8  
Advice of Counsel 6  
Property Negotiation 1  
Tax certiorari 1

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

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

Copies to:

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



April 17, 2008

2008 - - 244

AUTHORIZATION TO AMEND TBR #2008-226 RE: DOMINICK PASCALE.  
APPROVAL OF A CONTRACT AGREEMENT WITH DOMINICK PASCALE FOR  
CONSULTING WORK IN THE IT DIVISION OF  
THE HARRISON POLICE DEPARTMENT.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to amend TBR #2008-226, in connection with Dominick Pascale is hereby modified and corrected herein.

FURTHER RESOLVED that Dominic Pascale shall enter into a consulting agreement with the Town of Harrison for consulting work in the IT division of the HPD at a rate of \$50 per hour, with a cap of \$30,000.

FURTHER RESOLVED that the effective date of retention of Mr. Pascale is retroactive to Friday, April 4, 2008 and expires on October 4, 2008.

FURTHER RESOLVED that the Town Attorney is authorized to prepare the said Consulting Agreement and that the Supervisor is authorized to execute said Agreement.

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

Adopted by the following vote:

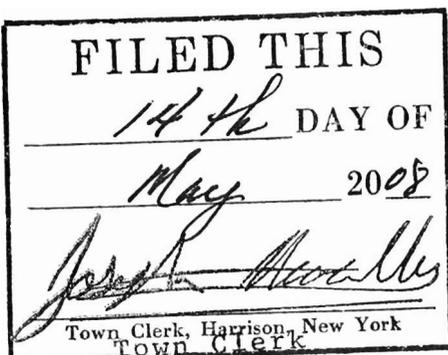
AYES: Councilmen Cannella, Scappaticci and Sciliano

NAYS: Councilman Vetere and Supervisor Walsh

ABSENT: None

Copies to:

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



April 17, 2008

2008 - - 245

APPROVAL OF THE CONTRACT WITH THE FIRM OF CARL WALKER  
RE: A PARKING STUDY. COST \$60,000

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the contract with the law firm of Carl Walker for a parking study, at a cost not to exceed \$60,000, subject to negotiations with Councilman Joseph Cannella and Village Attorney Robert Paladino.

FURTHER RESOLVED that funding is to be taken from the Harrison Parking Authority.

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

Adopted by the following vote:

AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano  
Supervisor Walsh

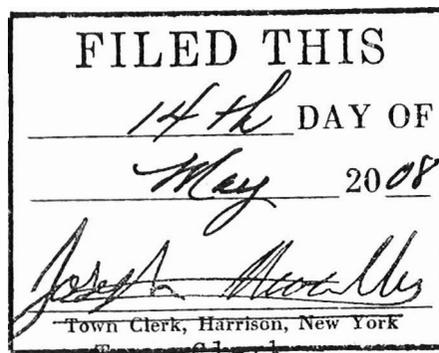
NAYS: None

ABSENT: None

There being no further matters to come before the Board,  
the Meeting was, on motion duly declared closed at 10:13 PM.

Respectfully submitted,

Joseph Acocella  
Town Clerk



Copies to:

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