

February 7, 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 7th day of February at 7:30 PM, Eastern Standard 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
Jonathan Kraut Deputy Village Attorney
Robert Paladino Village Attorney
David Hall Chief of Police
Maureen MacKenzie Comptroller
Judy D'Agostinis Director of Purchasing
Robert Wasp Commissioner of Public Works
James Calandrucchio Assessor
Ron Belmont..... Superintendent of Recreation

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FILED THIS
25th DAY OF
February 2008
Joseph A. Cannella
Town Clerk, Harrison, New York

Town Clerk

February 7, 2008

2008 -- 075 -- a

AUTHORIZATION TO USE THE CONTINGENCY FUND AS A
FUNDING SOURCE RE: THE UPGRADE OF
JACKIE RICCIARDI, GRADE 9, STEP 1

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the use of the Contingency Fund as a funding source for the upgrade of Jackie Ricciardi, in the Department of the Court Clerk, at the annual salary of \$55,422, retroactive to January 24, 2008.

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

Adopted by the following vote:

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

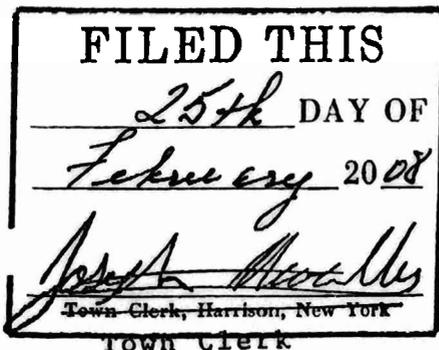
NAYS: None

ABSENT: None

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*Court Clerk
Mrs. Ricciardi*



February 7, 2008

2008 -- 075 -- b

AUTHORIZATION TO USE THE CONTINGENCY FUND AS A
FUNDING SOURCE RE: THE UPGRADE OF
MARIANNE CIPOLLA, GRADE 9, STEP 1

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the use of the Contingency Fund as a funding source for the upgrade of Marianne Cipolla, in the Department of the Court Clerk, at the annual salary of \$55,422, retroactive to January 24, 2008.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

FILED THIS
25th DAY OF
February 2008
Joseph A. Scappaticci
Town Clerk, Harrison, New York
Town Clerk

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- Court Clerk*
- Ms. Cipolla*

February 7, 2008

2008 -- 076 -- a

AUTHORIZATION THAT THE POLICE OVER-TIME ACCOUNT BE USED AS A FUNDING SOURCE RE: THE APPOINTMENT OF P. O. ANTONY SALOV TO THE POSITION OF K-9 OFFICER

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the use of the Police Over-time Account as the funding source for the appointment of P.O. Antony Salov, to the position of K-9 officer.

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

Adopted by the following vote:

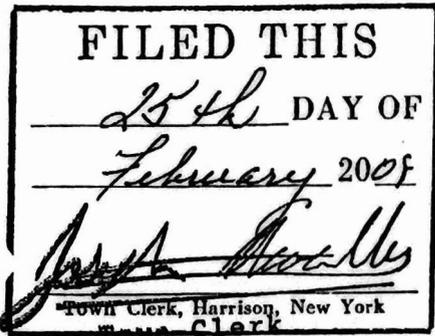
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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February 7, 2008

2008 -- 076 -- b

AUTHORIZATION THAT THE POLICE OVER-TIME ACCOUNT BE USED AS A
FUNDING SOURCE RE: THE APPOINTMENT OF
SGT. EDWARD LUCAS TO THE POSITION OF DETECTIVE SGT.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the use of the Police Over-time Account as the funding source for the appointment of Sgt. Edward Lucas to the position of Detective Sergeant.

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

Adopted by the following vote:

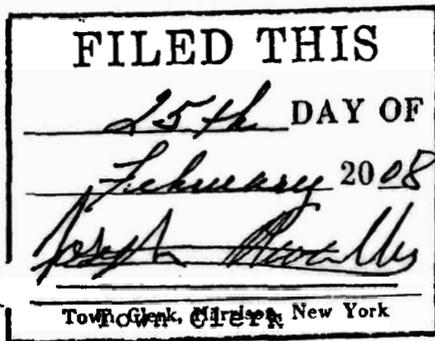
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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February 7, 2008

2008 - - 077

DESIGNATION OF THE TOWN BOARD AS LEAD AGENCY UNDER SEORA
ADOPTION OF A NEGATIVE DECLARATION UNDER SEORA

Supervisor Walsh stated that Acting Town Engineer Bob Wasp is in the process of completing the plans and specifications for the repair and replacement of Sanitary and Stormwater Sewer lines on Main Street in West Harrison which has been subject to severe flooding. The funding for this work has been approved by both FEMA and NYS Appropriations Funding and in addition the Town has been informed by Congresswomen Nita Lowey that she has approved an application of ours for an additional grant in the amount of \$150,000 for this work. She further stated that as part of the process, the DEC requires the Town to adopt SEQRA findings as well as a Negative Declaration.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to declare the Town Board as Lead Agency for purposes of SEQRA.

FURTHER RESOLVED that the Town Board adopt a Negative Declaration under SEQRA.

Adopted by the following vote:

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

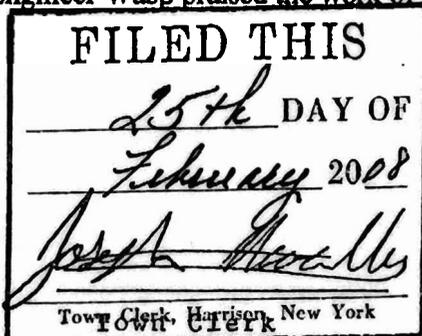
NAYS: None

ABSENT: None

After the adoption, Councilman Sciliano praised the work of Town Engineer Wasp and the entire Department for their work on this project.

Supervisor Walsh praised the work of the Engineering Department and stated the Resolution will be sent to Westchester County Board of Legislators because the Town needs an easement to become a part of the Westchester County Stormwater Sewer line on Main Street.

Town Engineer Wasp praised the work of all personnel involved from the County level to the Town.



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February 7, 2008

2008 -- 078

PRESENTATION BY OFFICIALS OF WESTCHESTER COUNTY

RE: THE NEW RECYCLING LAW

Supervisor Walsh stated that with the new Westchester County Recycling laws that have taken effect she thought it would be beneficial to have a presentation on the new laws from representatives of the County Government.

The representatives from the County were:

Bruce Berger, Executive Director of the Westchester County Solid Waste Commission

Tom Loral, Commissioner of Environmental Facilities

Tom Belfiore, Commissioner of Public Safety

Bob Morabito, Deputy Commissioner of Environmental Facilities

Lou Vetrone, Deputy Director of the Solid Waste Commission.

Mr. Berger stated he was a part of a Recycling Enforcement Task Force that was started by County Executive Andy Spano in the summer of 2007 as an initiative to increase recycling across Westchester County.

Mr., Morabito stated that when Westchester County began recycling in the 1990's they were recycling at a rate of about 7%. With all the enforcement and awareness campaigns over the past few years that number has grown to a rate of 47% which is one of the highest Counties in the State of New York. He went on further to state that County Executive Spano looked at the recycling numbers from 2003-2006. The County found that recycling had decreased consecutively for three years and for the first six months of 2007, recycling had been trending downward for the fourth consecutive year. In August of 2007, a task force was formed to include Bruce Berger the Executive Director of Solid Waste along with his Deputy, Tom Loral the Commissioner of Environmental Facilities and Tom Belfiore the Commissioner of Public Safety for Westchester County along with his Environmental Police. During the months that followed, the Task Force conducted audits of the County facilities and held seminars for municipalities, private haulers and large waste generators including schools, businesses and retailers. On January 7, 2008 the County went into a warning phase for recycling where by they issued yellow stickers on the garbage pails if the waste was not separated and that they had until February 1, 2008 to comply with the new recycling laws. Mr. Morabito stated this was not an easy task and the County wanted this to be an easy transition.

Mr. Morabito urged residents to go to the County website at www.Westchestergov.com/recycling.

Mr. Morabito went on to say that the new County law mandates that every waste generator, meaning residents, businesses etc. must separate their recyclables from their garbage. The haulers of the waste are required to provide regular, reliable and separate collection of the recyclables as well. The County has put reporting forms on their website for all municipalities which must be filled out every year. State funds are available in the way of grants for municipalities to get up to 50% reimbursement for recyclable containers and vehicles used specifically for recycling. More information is available on the website www.dec.ny.gov/tubs/4776. Mr. Morabito commented on the Counties effort to capture recyclable materials from waste generators by using such tools as the "Shred Mobile" which was launched last February. Since it's introduction to the County in 2007, the "shred mobile" has visited over 70 events and collected 120 tons of paper that would have ended up in the trash. Also, Mr. Morabito stated the County held its first "E-Waste" event in Mamaroneck last October. Over 50,000 pounds of "e-waste" was collected which includes anything with a plug with the exception of "white waste" meaning refrigerators, washer & dryer and air conditioners. "E-Waste" items include: televisions, microwaves, blenders, iron, vacuums convection ovens, computers and monitors. The Westchester "Household Chemical Clean-Up Days" are now called "Household Recycle Days" and those events collect tires, computers and this year they will be collected pharmaceutical waste. Many residents have unused or expired medications that they are unsure what to do with. It was common practice to flush it down the toilet however, that medication then in turn pollutes the waterways and is found to become a residue in our seafood. All medication will be collected and transported by police to the County burn facility in Peekskill and disintegrated in a 2000 degree heat which in turn will generate BTU's to make electricity. The Counties goal for their burn facility is to recycle the waste that is burned and turn it into energy which in turn saves residents money.

Lou Vitrone addressed the Board and discussed the enforcement aspect of the new recycling law. The RATF inspectors visit transfer stations throughout Westchester County everyday. These stations include private, municipal and County owned. The inspectors inspect loads of trash that are being dumped by municipalities and by private haulers and they are looking for egregious violations of the separation law. Mr. Vitrone went on further to say that red "Oops" stickers are now being placed on bags that contain recyclables mixed in with garbage. If an egregious violation is found at the transfer station the fine can be anywhere from a letter to \$250. Municipalities are also able to issue fines to waste generators for non compliance with the separation law.

Bob Morabito fielded questions from the Board regarding the separation law.

Councilman Cannella asked where he would bring fluorescent light bulbs to discard them.

Mr. Morabito stated the bulbs could be brought to a "Household Recycle Day" event.

Commissioner of Public Works addressed the Board and thanked the County for the presentations. He went on to thank the residents of Harrison for their patience during this transition as well as the members of the Sanitation and Recycling for their hard work in making Harrison comply with the new County law.

Mr. Wasp stated that the Town of Harrison does have "E-Waste" pick program at the Nike Base located in West Harrison and the Town recently received an award for Recycling in 2007. Mr. Wasp asked what to do with the plastic bottle caps which are not recyclable.

Mr. Morabito stated that the County would be happy to collect the bottles anyway even if the caps are still on them. He further stated that the burn facility may be able to get a BTU value out of the caps when burned which will generate electricity.

Mr. Wasp stated that his Department would be looking for a new recycling truck in the near future and will file an application for the grants discussed earlier. He continued by stating the DPW will be putting new recycle bins in the Town House as well as around town.

Supervisor Walsh asked what residents should do when they cannot wash out the recyclable items.

Mr. Morabito responded by stating the resident should rinse out the recyclable item only if they are able to. If they cannot they should still place it in the recyclable container.

Mr. Wasp asked what should be done with shredded paper.

Mr. Morabito responded that it is their suggestion that shredded paper be placed in a cardboard box.

Mr. Wasp replied he would be open to discuss this matter with the County however putting the shredded paper in a cardboard box poses a problem because the box is too light and as a result blows all over the street.

Gene Razzoli addressed the Board and offered his help to the County as well as the Town with the new recycling law.

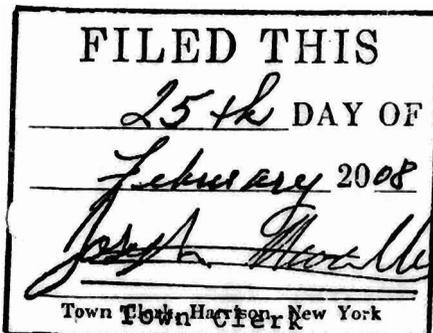
Supervisor Walsh asked what residents should do with the plastic bubble wrap.

Mr. Morabito responded that plastic bubble wrap is garbage as of right now. However, he went further stated that the County is looking to capture that as a recyclable item in the future.

Mr. Morabito concluded his remarks by thanking the Mayor and the Board.

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February 7, 2008

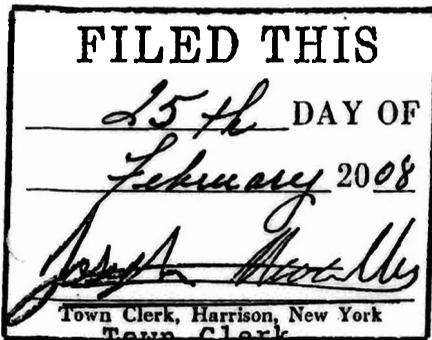
2008 - 079 - - a

UPDATE BY SUPERVISOR JOAN WALSH
RE: ILLEGAL HOUSING

Supervisor Walsh stated that this morning the Task Force on Code Compliance met to discuss illegal housing. There are 139 active illegal housing cases in the courts presently as well as 11 active illegal use investigations going on and 76 current inactive illegal use investigations. The inactive illegal use violations are ones that the Building Department and the Task Force have either addressed and a court decision is pending or the Task Force has been unable to gain entry into the home. Supervisor Walsh stated that the Task Force will continue to investigate homes that have been reported to have illegal apartments because it is a detriment to our schools and our community.

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February 7, 2008

2008 -- 079 -- b

LETTER OF PRAISE TO CERTAIN EMPLOYEES
IN THE DEPARTMENT OF PUBLIC WORKS

Supervisor Walsh read a letter from Mindy Nagorsky and Ronen Israel praising the response and hard work of Anthony Sacco, Ralph DeRosa and Billy Bisignano for going above and beyond their service in helping her remove a large pile of debris from her neighbor's property and providing her with new recycling bins for the new County Recycling Laws.

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FILED THIS
25th DAY OF
February 2008
Joseph A. Scavella
 Town Clerk, Harrison, New York
 TOWN CLERK

February 7, 2008

2008 - - 080

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Monthly report from the Fire Marshal for January 2008.
- 1b. Monthly report from the Town Clerk for January 2008.
- 1c. Monthly report from the Commissioner of Public Works for October, November and December 2007, together with a chart of complaints and services.

Adopted by the following vote:

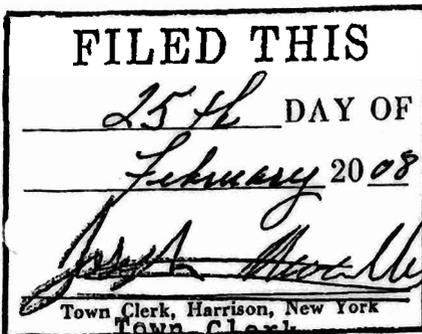
AYES: Councilmen Vetere, Scappaticci, Cannella and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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February 7, 2008

2008 - - 081

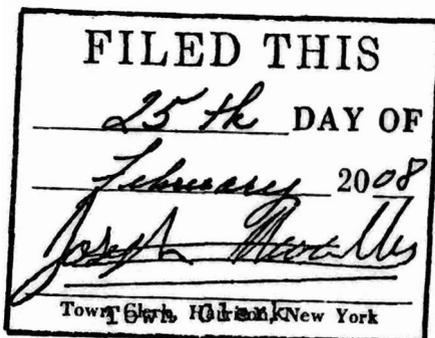
**PUBLIC HEARING – RE: A LOCAL LAW PROVIDING FOR THE
ADMINISTRATION AND ENFORCEMENT OF THE
NYS UNIFORM FIRE PREVENTION AND BUILDING CODE**

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 he is still working on the provisions for this Law.

No one else spoke for or against the Local Law.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, the Hearing was continued to March 6, 2008 .



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In The Matter Of:

TOWN BOARD MEETING of the TOWN OF HARRISON

HEARING

February 7, 2008

MERRILL LEGAL SOLUTIONS

25 West 45th Street - Suite 900

New York, NY 10036

PH: 212-557-7400 / FAX: 212-692-9171

HEARING - Vol. 1

RECEIVED
LAW DEPT.
TOWN-VLG. OF HARRISON, NY
2008 MAR 31 A 10: 20

-----x
TOWN BOARD MEETING
of the
TOWN OF HARRISON
PUBLIC MEETING

Re: The purpose of determining the amount and extent of the real property known as Block 611, Lot 74 and more commonly known as 7 Meadow Lane, Purchase, New York. The condemnation and easement necessary for storm water and drainage infrastructure improvements in the vicinity of Meadow Lane.

Held on
February 8, 2008
at
One Heineman Place
Harrison, New York

-----x
PRESENT:

MAYOR JOAN WALSH, Chairperson
FRED SCILIANO, Councilman-Trustee
JOE CANNELLA, Councilman-Trustee
TOM SCAPPATICCI, Councilman-Trustee
PATRICK A. VETERE, Councilman

ALSO PRESENT:

JOSEPH M. ACOCELLA, Clerk
JONATHAN D. KRAUT, Deputy Village Attorney
FRANK ALLEGRETTI, Town Attorney

MERRILL LEGAL SOLUTIONS
25 West 45 Street
New York, New York 10036
(212) 557-7400

Page 6	Page 8
<p>20:30:30 1 table in front of them. At the last meeting we</p> <p>20:30:34 2 did mention that we were looking at several</p> <p>20:30:35 3 alternatives, all of these alternatives start</p> <p>20:30:42 4 with the low point in Meadow Lane, that's the</p> <p>20:30:44 5 point where all the drainage solutions start.</p> <p>20:30:47 6 The first two alternatives were</p> <p>20:30:50 7 routings that went through the Garfield property</p> <p>20:30:53 8 and they're listed as skirting the pond and</p> <p>20:30:56 9 through the pond. You can see on the table that</p> <p>20:30:58 10 what I have given here is the length of the</p> <p>20:31:03 11 drain. Other relative information, that's some</p> <p>20:31:07 12 design information from the engineering</p> <p>20:31:09 13 department, some preliminary estimates on the</p> <p>20:31:12 14 cost, some notes about excavation and whether we</p> <p>20:31:17 15 expected some rock involved or not.</p> <p>20:31:21 16 Also, at the bottom lists the</p> <p>20:31:23 17 Meadow Lane improvements, and that's a category</p> <p>20:31:25 18 where some drainage improvements on the roadway,</p> <p>20:31:28 19 the roadway itself and some of the curve areas</p> <p>20:31:31 20 also have to be improved. So that line item</p> <p>20:31:34 21 carries across to the four alternatives.</p> <p>20:31:37 22 So the first alternative is</p> <p>20:31:40 23 skirting the pond, and that's a routing that</p> <p>20:31:43 24 actually goes on the inside perimeter of the</p> <p>20:31:48 25 pond from Meadow Lane over the Star Fann area.</p>	<p>20:32:57 1 is a drain path that would go along the inside</p> <p>20:33:00 2 edge of the pond, follow the perimeter of the</p> <p>20:33:02 3 pond, loop around and come back out to Star Fann</p> <p>20:33:06 4 Road. That particular routing is 475 feet.</p> <p>20:33:14 5 The second routing is one that's</p> <p>20:33:16 6 more of a direct path and that's at the same low</p> <p>20:33:19 7 point coming straight out right through the pond</p> <p>20:33:22 8 actually, that's the shortest distance and it</p> <p>20:33:25 9 connects to the same location out on Star Fann</p> <p>20:33:28 10 Road.</p> <p>20:33:28 11 Now you can see on these drawings</p> <p>20:33:30 12 we show a profile. This is a relatively shallow</p> <p>20:33:33 13 pipe, meaning that it's only a couple of feet</p> <p>20:33:36 14 below ground, but it has the pitch for flow and</p> <p>20:33:41 15 it will get the waters from this point to here.</p> <p>20:33:50 16 So that's the first two alternatives.</p> <p>20:33:52 17 The next alternative that we looked</p> <p>20:33:54 18 at, this routing is the one where we take the</p> <p>20:34:08 19 low point in Meadow Lane, we go Meadow Lane all</p> <p>20:34:11 20 the way out to Purchase Street, down Purchase</p> <p>20:34:14 21 Street to the point where Star Fann Road is and</p> <p>20:34:17 22 we connect into an existing drain. This routing</p> <p>20:34:19 23 is 1600 feet, and you will remember I said the</p> <p>20:34:24 24 other two routings were 475 and 370 feet, the</p> <p>20:34:29 25 first two routings. So this is a substantially</p>
<p>20:31:53 1 I don't know if you need me to put drawings up,</p> <p>20:31:56 2 Jonathan?</p> <p>20:31:57 3 MR. KRAUT: I think it might be</p> <p>20:31:59 4 helpful for members of the public if you did put</p> <p>20:32:02 5 up the drawings for discussion. Incidentally,</p> <p>20:32:04 6 at the request of the Board and based upon</p> <p>20:32:06 7 members of the public's request an informational</p> <p>20:32:09 8 session was held, hosted by the engineering</p> <p>20:32:12 9 department, with notification sent out to</p> <p>20:32:15 10 property owners that either expressed an</p> <p>20:32:17 11 interest and/or we believe would have an</p> <p>20:32:21 12 interest based on proximity of the project. Bob</p> <p>20:32:25 13 can, if you want, comment on attendance of that.</p> <p>20:32:28 14 Certainly the information that the Board</p> <p>20:32:29 15 requested was disseminated in that fashion.</p> <p>20:32:32 16 MR. WASP: Yes, we had I think it</p> <p>20:32:35 17 was 12 or 13 people here last night and we went</p> <p>20:32:38 18 through the description of the four</p> <p>20:32:39 19 alternatives, we had a question and answer</p> <p>20:32:41 20 period and it lasted about an hour. Just to get</p> <p>20:32:46 21 back to the alternative I was starting to</p> <p>20:32:48 22 describe.</p> <p>20:32:49 23 The first is what we call the</p> <p>20:32:51 24 routing that is skirting the pond. Where I have</p> <p>20:32:55 25 the marker is the low point on Meadow Lane, this</p>	<p>20:34:32 1 larger routing.</p> <p>20:34:33 2 On this drawing we actually plotted</p> <p>20:34:39 3 the profiles. The drain on this routing is deep</p> <p>20:34:42 4 at some locations, which means it's an added</p> <p>20:34:45 5 cost, and we have cost factors on the table and</p> <p>20:34:48 6 you will see there is a significant change in</p> <p>20:34:49 7 cost.</p> <p>20:34:58 8 MR. KRAUT: Bob if you could, just</p> <p>20:35:00 9 on that last alternative. At the deeper</p> <p>20:35:02 10 portions of the trench that would be</p> <p>20:35:04 11 contemplated, just to give the Board an idea,</p> <p>20:35:07 12 how deep would be pipe be relative to the</p> <p>20:35:09 13 surface?</p> <p>20:35:10 14 MR. WASP: We're looking at a</p> <p>20:35:12 15 maximum depth of 18 feet. We also from our</p> <p>20:35:15 16 information in the area suspect that there's</p> <p>20:35:16 17 rocks in the area, so we built into our estimate</p> <p>20:35:18 18 some calculations for rock.</p> <p>20:35:20 19 MR. KRAUT: Bob, with respect to</p> <p>20:35:21 20 installation of trenches of that depth, do you</p> <p>20:35:25 21 encounter additional technical issues that need</p> <p>20:35:28 22 to be addressed?</p> <p>20:35:29 23 MR. WASP: Yes, the construction</p> <p>20:35:31 24 techniques are more tedious with shoring and of</p> <p>20:35:34 25 course the rock excavation has its own cost, so</p>

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<p>20:40:54 1 you change direction you have to put a manhole.</p> <p>20:40:59 2 When you put a manhole what that does is that</p> <p>20:41:01 3 contributes to some friction losses. From a</p> <p>20:41:04 4 design standpoint you want to make this water go</p> <p>20:41:07 5 without the least amount of friction losses, and</p> <p>20:41:09 6 having a straight line with less manholes makes</p> <p>20:41:12 7 a difference.</p> <p>20:41:13 8 So a shorter distance with a</p> <p>20:41:15 9 slightly greater scope gives us the greater</p> <p>20:41:18 10 capacity for the pipe, it reduces the friction</p> <p>20:41:20 11 losses. So from an engineering standpoint the</p> <p>20:41:24 12 straight-through pathway is the preferred</p> <p>20:41:26 13 alternative, and that's what we're recommending</p> <p>20:41:28 14 as the engineering department.</p> <p>20:41:31 15 COUNCILMAN CANNELLA: So you're</p> <p>20:41:32 16 recommending sheet 2 of this exhibit?</p> <p>20:41:40 17 MR. KRAUT: I think specifically</p> <p>20:41:41 18 the easement routing is depicted on Exhibit M</p> <p>20:41:49 19 which is titled "Proposed Condemnation Easement</p> <p>20:41:53 20 Plan" and it says "sheet 1 of 1," it was a</p> <p>20:41:58 21 single sheet.</p> <p>20:42:00 22 COUNCILMAN CANNELLA: Okay.</p> <p>20:42:02 23 MR. KRAUT: Bob, if you could just</p> <p>20:42:04 24 explain the necessity of a lesser easement along</p> <p>20:42:08 25 the edge of the roadway and the purpose for</p>	<p>20:43:17 1 low point over here we have mapped out an</p> <p>20:43:24 2 easement 250 feet along the Garfield side of the</p> <p>20:43:28 3 property, and you remember I think from the</p> <p>20:43:30 4 conversations that the property owners own</p> <p>20:43:32 5 essentially to the middle of the road. We need</p> <p>20:43:35 6 an easement on the Garfield side of the property</p> <p>20:43:37 7 so that we can do some roadway improvement and</p> <p>20:43:41 8 the associated drainage improvement</p> <p>20:43:43 9 What that means is a combination of</p> <p>20:43:47 10 a swail or curve, or possibly some edge of the</p> <p>20:43:50 11 roadway improvement. The road is a narrow road</p> <p>20:43:53 12 and in order for the drainage system to work we</p> <p>20:43:56 13 want to make sure that we can direct the water</p> <p>20:43:58 14 into the basins. We talked about a crowned</p> <p>20:44:01 15 roadway so the water doesn't run straight down</p> <p>20:44:04 16 the hill in the middle.</p> <p>20:44:06 17 We have proposed that there needs</p> <p>20:44:08 18 to be a drain, preferably two drains, across</p> <p>20:44:12 19 Meadow Lane within that 250 feet. As you know,</p> <p>20:44:16 20 when water is running down a long incline it</p> <p>20:44:19 21 picks up speed, so a typical design would be</p> <p>20:44:22 22 that you would put a series of drains at some</p> <p>20:44:25 23 intervals to intercept the water.</p> <p>20:44:27 24 So we're looking at an easement</p> <p>20:44:29 25 within this 250 foot piece along the edge of the</p>
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<p>20:42:11 1 that.</p> <p>20:42:13 2 MR. WASP: I should mention the</p> <p>20:42:14 3 easement going through the property first.</p> <p>20:42:18 4 MR. KRAUT: Sure.</p> <p>20:42:19 5 MR. WASP: In order to build this</p> <p>20:42:20 6 drain you need an easement, you really need two</p> <p>20:42:23 7 types of easement. You need an easement to</p> <p>20:42:25 8 construct it and then you ultimately need an</p> <p>20:42:27 9 easement for maintenance. During construction</p> <p>20:42:29 10 you need a little more space so what we have</p> <p>20:42:32 11 mapped out on the exhibit, which we will get to,</p> <p>20:42:34 12 is a 40 foot wide temporary easement for the</p> <p>20:42:37 13 construction of that pipe, and that's shown on</p> <p>20:42:40 14 the exhibit that counsel has referred to.</p> <p>20:42:46 15 Now, as far as the permanent</p> <p>20:42:47 16 easement goes we mapped out the 20 foot wide</p> <p>20:42:50 17 easement. The 20 foot wide is wide enough so</p> <p>20:42:54 18 that the equipment can get into the site and do</p> <p>20:42:56 19 the necessary maintenance repairs. We kept it</p> <p>20:42:59 20 to a minimum for this type of pipe, the type of</p> <p>20:43:03 21 drainage that's proposed here. So that easement</p> <p>20:43:06 22 runs directly through the property.</p> <p>20:43:07 23 In addition to that there is</p> <p>20:43:09 24 another easement on Meadow Lane that's necessary</p> <p>20:43:11 25 and this is, I'll give you a distance, from the</p>	<p>20:44:33 1 roadway, understanding that the Garfield</p> <p>20:44:36 2 property has vegetation and improvements and</p> <p>20:44:39 3 this wouldn't disturb that at all.</p> <p>20:44:45 4 MR. KRAUT: Thank you, Bob. While</p> <p>20:44:47 5 you're on that point, as I know you have had an</p> <p>20:44:50 6 opportunity to review the letter from Keane &</p> <p>20:44:52 7 Beane dated February 1 wherein, among other</p> <p>20:44:56 8 things, the author of the letter, Mr. Gordon,</p> <p>20:44:59 9 indicated that it was his client's position that</p> <p>20:45:01 10 there was an increase in water being directed to</p> <p>20:45:04 11 the low point of the road, as it was</p> <p>20:45:09 12 artificially directed there. I'm paraphrasing,</p> <p>20:45:12 13 but I think that was the sum of that comment in</p> <p>20:45:16 14 that letter. Could you address that?</p> <p>20:45:19 15 MR. WASP: Yes. I did read that</p> <p>20:45:22 16 letter just beforehand. What I would say to</p> <p>20:45:23 17 that letter is this, the basin that's depicted</p> <p>20:45:27 18 in one of these drawings, its about 19 acres --</p> <p>20:45:30 19 29 acres -- I stand corrected. 19 acres. it's</p> <p>20:45:36 20 somewhat of a bowl and all the water that hits</p> <p>20:45:38 21 the surface will run to the low point on Meadow</p> <p>20:45:42 22 Lane, at the low point.</p> <p>20:45:43 23 Now ground water. Ground water</p> <p>20:45:47 24 generally follows the same direction as surface</p> <p>20:45:49 25 water. The discussion in the letter that</p>

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<p>20:50:21 1 stuck in that pond. 20:50:24 2 It's bad enough to get stuck in a 20:50:26 3 pond, it's bad enough to have your wife stuck in 20:50:29 4 a pond, but to see the fear and the fright on my 20:50:31 5 childrens' face when they had to be rescued from 20:50:34 6 that by myself and by the terrific work of the 20:50:38 7 town of Harrison police department is not one 20:50:40 8 that I want any of you to ever have to share. 20:50:43 9 I only wish the Garfields could 20:50:45 10 have been there to see that, and to see the look 20:50:47 11 in the face of my children at that time. It's 20:50:49 12 not something as a parent that I ever want to 20:50:52 13 have to look at again. They were admittedly 20:50:55 14 scared and frightened, and that's almost minor. 20:50:58 15 Of course we have multi multi thousand dollars 20:51:01 16 of damage to our car, somewhere in the 20:51:04 17 neighborhood of 5 to \$10,000, and again that's 20:51:07 18 minor in my estimate. 20:51:09 19 What I'm really concerned about, 20:51:10 20 and I've told you this before, I am so sure that 20:51:13 21 if we don't take care of this thing immediately 20:51:16 22 the loss we are going to be talking about will 20:51:17 23 not be material, it will not be the loss of 20:51:20 24 innocence on my childrens' face, it will be the 20:51:23 25 loss of life. I'm telling you now as sure as I</p>	<p>20:52:53 1 MR. WASP: Yes, this is a large 20:52:56 2 scale map and this segment here is a much larger 20:53:02 3 section than what would be showed up in detail. 20:53:06 4 Star Farm Road is right here so this does go 20:53:09 5 through the properties, several properties, it 20:53:11 6 crosses Purchase Street right over here and then 20:53:13 7 over into the Morgan Stanley property. 20:53:16 8 MAYOR WALSH: Is it underground or 20:53:18 9 in a pipe or is that staying on the surface 20:53:23 10 water? 20:53:24 11 MR. WASP: It's everything. It's a 20:53:26 12 series of ponds, some of it is piped. There are 20:53:30 13 ponds, pipes and there's open water channels. 20:53:33 14 A SPEAKER: That's not the 20:53:34 15 question. What concerns me is if the water 20:53:40 16 that's leaving Meadow Lane in a pipe, it's now 20:53:45 17 being run across the Garfields, it's going to 20:53:47 18 get on to Star Farm Road first. 20:53:52 19 MR. WASP: Yes, in a pipe. 20:53:53 20 A SPEAKER: And then it's going to 20:53:54 21 run from Star Farm Road down towards Purchase 20:53:59 22 Street? 20:53:59 23 MAYOR WALSH: In a pipe. 20:54:02 24 MR. WASP: In the existing 20:54:03 25 system --</p>
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<p>20:51:25 1 stand in front of you that is what is coming and 20:51:28 2 none of us can afford to be in that position. 20:51:31 3 Thank you. 20:51:32 4 MAYOR WALSH: Thank you Barry. 20:51:35 5 Yes, please. 20:51:39 6 A SPEAKER: My name is Joseph Lowe 20:51:40 7 and I live at 5 Star Farm Road which is across 20:51:43 8 the street. So a question I had was when the 20:51:47 9 water goes on to Star Farm Road does that run 20:51:50 10 down to Purchase Street because our neighbors, 20:51:59 11 the Ameals, have a pond on their property, where 20:52:02 12 does that water come from? 20:52:04 13 MR. WASP: The water that goes from 20:52:10 14 the pond on Star Farm Road goes, as I described 20:52:15 15 in the color picture there, it runs through Star 20:52:18 16 Farm Road through a series of drains, ponds and 20:52:20 17 across Purchase Street, yes. 20:52:23 18 A SPEAKER: Not down to Purchase 20:52:24 19 Street but I'm talking about across. When it 20:52:27 20 gets on to Purchase Street you showed that the 20:52:31 21 water goes down towards Morgan Stanley, but some 20:52:38 22 of the water I think continues across onto the 20:52:44 23 Ameals' property on to our property and on to 20:52:46 24 our friend over there, the Sobels, which are on 20:52:50 25 1025 Purchase Street</p>	<p>20:54:03 1 MR. KRAUT: Bob, perhaps you can 20:54:06 2 address the way it currently is configured with 20:54:08 3 the outlet from the existing pond and then 20:54:09 4 explain where the change is, that might allay 20:54:11 5 his concern. 20:54:12 6 MR. WASP: Right now there is an 20:54:13 7 outlet pipe that comes from the Garfield 20:54:16 8 property that currently goes across Star Farm 20:54:19 9 Road. That's where the water goes today, that's 20:54:21 10 where the water has been going, and that's where 20:54:23 11 the water is proposed to continue. The 20:54:25 12 difference that we have here is that we are 20:54:27 13 planning a pipe across the Garfield property. 20:54:29 14 So it's not new water, it's the same water, so 20:54:32 15 where it goes now is the same place it's going 20:54:35 16 to go. 20:54:35 17 MAYOR WALSH: Water that's coming 20:54:36 18 from the road through the Garfield property will 20:54:39 19 stay in a pipe when it gets to Star Farm, it 20:54:43 20 will stay in the pipe and go down to Purchase 20:54:45 21 Street? 20:54:46 22 MR. WASP: No, it goes through this 20:54:47 23 area of pipes and some open ponds, and then 20:54:49 24 ultimately goes underneath to Purchase Street 20:54:54 25 A SPEAKER: Maybe Ms. Evans, when</p>

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<p>20:59:22 1 wanted to do. I just said that if we're going 20:59:24 2 to make some changes we should just check how 20:59:27 3 that affects everything in the area. 20:59:28 4 MAYOR WALSH: Thank you for 20:59:29 5 clarifying that. 20:59:33 6 A SPEAKER: My name is Andrew 20:59:35 7 Friedwald, 17 Meadow Lane. I certainly 20:59:38 8 appreciate the last night hearing, the 20:59:40 9 informational hearing was terrific for us. Just 20:59:42 10 a couple of things along the line of Councilman 20:59:47 11 Vetere's -- if we're obviously moving in a 20:59:51 12 direction of going straight through the pond or 20:59:54 13 around it, and it sounds like there are some 20:59:58 14 negotiations with the homeowner and if it's 21:00:01 15 pretty obvious that this is the way to go, maybe 21:00:03 16 we can do in parallel these construction 21:00:05 17 drawings. I'm not sure how much it costs, but 21:00:08 18 maybe the District which has borne this cost 21:00:10 19 would be willing to take a flier that this is 21:00:13 20 going to work out. 21:00:15 21 COUNCILMAN CANNELLA: I think as a 21:00:15 22 practical matter that's already happening. 21:00:18 23 A SPEAKER: Fair enough. The other 21:00:20 24 thing, if it's possible. I noticed that in 21:00:23 25 excess of \$1 million for one of the routes that</p>	<p>21:01:20 1 is here for the property owner and wishes to 21:01:23 2 speak. 21:01:24 3 COUNCILMAN VETERE: If there's a 21:01:28 4 settlement between Garfield and the residents 21:01:31 5 and the town, can we expedite by a week of 21:01:34 6 starting the process of Eminent Domain? 21:01:39 7 MR. KRAUT: There is no question 21:01:40 8 that if there were agreement with the property 21:01:42 9 owner whose property we needed easement across, 21:01:45 10 that that would speed things up. 21:01:47 11 COUNCILMAN VETERE: We don't have 21:01:49 12 to wait another two weeks, we can correspond 21:01:52 13 among ourselves with you and the Commissioner as 21:01:54 14 to the process, all of the progression. 21:02:03 15 MAYOR WALSH: Yes. 21:02:05 16 COUNCILMAN VETERE: Now we can move 21:02:06 17 things along quickly. 21:02:07 18 MAYOR WALSH: If we have agreement 21:02:08 19 with the homeowner, yes. 21:02:09 20 MR. KRAUT: Yes, I agree. If we 21:02:11 21 have agreement with the homeowner that will 21:02:13 22 speed things up significantly. 21:02:15 23 MR. GORDON: Eric Gordon of Keane & 21:02:17 24 Beane. I'm here representing Neil and Carol 21:02:21 25 Garfield, 7 Meadow Lane. Ted Garfield is here</p>
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<p>21:00:25 1 we don't really want to go. What about the 21:00:28 2 route that we kind of do want to go, can we know 21:00:30 3 that number? 21:00:31 4 COUNCILMAN CANNELLA: The number is 21:00:32 5 420,000 based on the estimate. 21:00:36 6 A SPEAKER: That's the shortest 21:00:39 7 distance. 21:00:40 8 COUNCILMAN CANNELLA: Right, that's 21:00:41 9 under the pond. 21:00:43 10 A SPEAKER: Fair enough. I guess 21:00:44 11 the last thing that I would like to say is we 21:00:46 12 created a District or we started with a 21:00:50 13 petition, but I just want to make sure all 21:00:53 14 affected property owners are in the District: is 21:00:58 15 that the case? 21:01:00 16 MR. KRAUT: Rather than confuse the 21:01:04 17 hearing which is really focused on the 21:01:06 18 condemnation, the District has been created and 21:01:08 19 the properties that are in it are in it. I can 21:01:10 20 give you a list of which ones in it, okay? 21:01:14 21 MAYOR WALSH: That can always be 21:01:15 22 expanded. 21:01:16 23 COUNCILMAN CANNELLA: That's not a 21:01:17 24 part of this hearing. 21:01:19 25 MR. KRAUT: I believe that counsel</p>	<p>21:02:24 1 tonight. His parents, Neil and Carol, are away. 21:02:26 2 Mr. Garfield is recuperating from eye surgery, 21:02:29 3 he would like to be here but he is recuperating 21:02:31 4 from that. 21:02:32 5 As the town attorney said, the 21:02:33 6 Garfields understand that there is a problem on 21:02:36 7 Meadow Lane and we've been involved in trying to 21:02:40 8 cooperate to come up with a solution with the 21:02:42 9 town. We understand what the town wants to do 21:02:45 10 here and we certainly are not trying to delay 21:02:49 11 the matter. 21:02:54 12 As I've notified you in my letter, 21:02:57 13 I would have liked to have been at the meeting 21:02:59 14 last night as well to hear the information. 21:03:01 15 That letter was only received by the Garfields 21:03:03 16 on Monday or Tuesday, I don't know which one it 21:03:06 17 was, but I didn't have time to be here. I would 21:03:09 18 have liked to have been there, I'm glad I got 21:03:11 19 the information tonight. This is the first time 21:03:13 20 I'm hearing of these specific plans. 21:03:15 21 As you know, the Garfields had 21:03:20 22 previously cooperated on Meadow Lane in putting 21:03:22 23 in the drain that's in there right now. I would 21:03:24 24 like to try to allay the town's fears that the 21:03:28 25 Garfields have not tried to address this</p>

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<p>21:07:29 1 fast, it could overflow. If you dump it in 21:07:33 2 slowly, which is what would happen, it would 21:07:34 3 drain. So there is a major issue relating to 21:07:37 4 these other property owners. 21:07:38 5 There's been other development on 21:07:40 6 the property as well in the area that's also 21:07:41 7 contributing, other large houses built. If you 21:07:44 8 go down there you see everything shearing off 21:07:46 9 the driveways there, it's very obvious. So 21:07:48 10 that's the first. 21:07:50 11 COUNCILMAN VETERE: You're going on 21:07:52 12 and on and you're criticizing our Commissioner 21:07:55 13 of Public Works. 21:07:58 14 MR. GORDON: I'm disagreeing with 21:08:00 15 him and his opinion, that's all. 21:08:01 16 COUNCILMAN CANNELLA: Pat, please. 21:08:03 17 Thank you. 21:08:04 18 MR. GORDON: Just on the second 21:08:05 19 part of the test. Certainly on the other 21:08:08 20 alternatives, that's the second part of the test 21:08:09 21 under the Eminent Domain Procedure Law. 21:08:12 22 COUNCILMAN CANNELLA: Legal 21:08:13 23 arguments please brief and put into the record. 21:08:16 24 MR. GORDON: I just want to say 21:08:16 25 there are other alternatives. One thing I found</p>	<p>21:09:18 1 if it was a feasible option in 1996. I haven't 21:09:20 2 heard it mentioned today. 21:09:22 3 Like I said, we're still willing to 21:09:24 4 cooperate and talk about it but these 21:09:26 5 alternatives have to be looked at. You can't 21:09:28 6 just go with the simplest solution and it can't 21:09:32 7 be necessarily the least expensive solution 21:09:35 8 either. It's got to be the appropriate solution 21:09:37 9 here because you're taking property and, again, 21:09:39 10 that links in with my argument regarding it's 21:09:42 11 being caused by another property owner. 21:09:44 12 The third part of the test, the 21:09:47 13 environmental impact. Again, there has been no 21:09:51 14 study from the State Environmental Quality 21:09:51 15 Review Act. The people from Star Farm are here 21:09:53 16 talking about environmental issues that are 21:09:54 17 important to them. I have other important 21:09:56 18 environmental issues I've raised in my papers, I 21:09:58 19 won't go through them, but I think there needs 21:10:01 20 to be further study. The wetland issue with 21:10:07 21 Beth Evans certainly, if I could see that report 21:10:08 22 as well, how the wetlands are going to be dealt 21:10:08 23 with. 21:10:08 24 Just on the fourth issue which is 21:10:11 25 basically the procedural due process rights of</p>
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<p>21:08:17 1 on a map, which is not in my papers because I 21:08:21 2 just found this map, there was a subdivision 21:08:22 3 map, and I think I'm entitled to put the 21:08:25 4 arguments on the record. I mean you are taking 21:08:27 5 somebody's property through condemnation. I'm 21:08:29 6 not trying to stand up here and say anything 21:08:32 7 that's improper. 21:08:33 8 MR. KRAUT: You most certainly are. 21:08:34 9 I think what the Councilman was making clear to 21:08:37 10 you is that if you're making legal arguments 21:08:39 11 they may be better served in the record in 21:08:41 12 writing so that they can be reviewed in detail, 21:08:44 13 rather than made on the fly. You are certainly 21:08:47 14 entitled to make a full and fair record of any 21:08:51 15 comments you or your client may have. 21:08:53 16 MR. GORDON: On a subdivision map 21:08:55 17 from 1996, it's County map number 25739, there 21:08:55 18 is a note on it that a manhole existed at the 21:08:58 19 northeast corner of the Garfield property which 21:09:00 20 is the where the low water is. Apparently there 21:09:04 21 was a force main that existed that was taking 21:09:06 22 storm water up Meadow Lane to Purchase Street. 21:09:10 23 Now, there was a pipe in the road 21:09:11 24 that was carrying water by a forced main, I 21:09:15 25 don't know why this isn't a feasible option now</p>	<p>21:10:14 1 my client. We did just get those reports today. 21:10:17 2 we appreciate you keeping the hearing open 21:10:20 3 COUNCILMAN VETERE: It's amazing, 21:10:21 4 you guys are all the same, you just got those. 21:10:23 5 COUNCILMAN CANNELLA: Pat, please. 21:10:26 6 MR. GORDON: I appreciate you 21:10:27 7 keeping the hearing open so that we can look at 21:10:29 8 them, so we can examine them and determine 21:10:31 9 whether that's an appropriate solution. I thank 21:10:34 10 you for letting me talk tonight. I appreciate 21:10:37 11 you taking the time and we are going to look at 21:10:40 12 this seriously. 21:10:42 13 MAYOR WALSH: Please come in as 21:10:43 14 soon as possible to look at the maps. 21:10:45 15 A SPEAKER: I just need to say one 21:10:46 16 quick thing. I'm thrilled that you came on to 21:10:49 17 Meadow Lane and we're appalled at the volume of 21:10:52 18 water that came out of that ditch. I know the 21:10:55 19 Garfields would also find that a unique 21:10:57 20 experience since they live further up the road, 21:11:03 21 but that's not the problem. That water is 21:11:05 22 flowing down the ditch is not the problem, those 21:11:08 23 pictures don't depict what the problem is. 21:11:10 24 When it rains it's a three foot 21:11:14 25 deep pond that all of those pictures are covered</p>

21:15:40 1 condemnation proceedings, marked Exhibit N for
 21:15:54 2 identification.)
 21:15:54 3 MR. KRAUT: I will also circulate
 21:15:55 4 copies to the Board for your consideration.
 21:15:57 5 COUNCILMAN CANNELLA: I will make a
 21:15:58 6 motion that we continue the hearing to the next
 21:16:01 7 Town Board meeting which is dated February 21
 21:16:09 8 COUNCILMAN VETERE: I'll second
 21:16:10 9 that.
 21:16:1010 MAYOR WALSH: All in favor?
 21:16:1111 (Chorus of ayes.)
 21:16:1212 MAYOR WALSH: So carry.
 13 (Time noted: 9:16 p.m.)
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1 CERTIFICATE
 2
 3 I, Roberta Caiola, a Shorthand
 4 Reporter and Notary Public within and
 5 for the State of New York, do hereby
 6 certify:
 7
 8 That the statements contained
 9 herein is a true record of the proceedings
 10 in this matter.
 11
 12 I further certify that I am not
 13 related to any of the parties
 14 involved in this proceeding, and that
 15 I am in no way interested in the
 16 outcome of this matter.
 17
 18
 19
 20 ROBERTA CAIOLA
 21
 22
 23
 24
 25

February 7, 2008

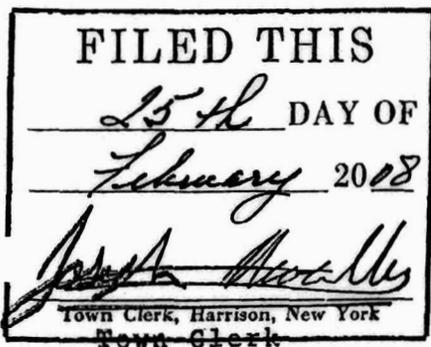
2008 - - 083

PUBLIC HEARING - RE: TAXATION OF CONVERTED CONDOMINIUMS

The Public Hearing was moved to the February 21, 2008 Town Board meeting.

Copies to:

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



February 7, 2008

2008 - - 084

LETTER OF PRAISE TO CERTAIN EMPLOYEES IN THE DPW

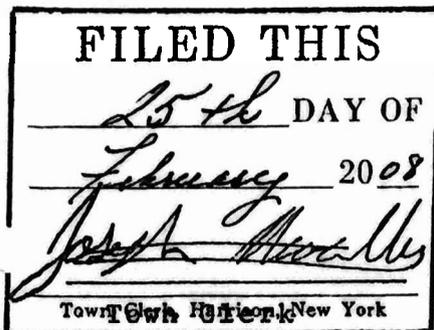
Supervisor Walsh read a letter from Town Clerk Joseph Acocella praising the following members of the Department of Public Works for their outstanding work in renovating Mr. Acocella's office, to meet his accessibility needs.

Commissioner of Public Works Bob Wasp, Bill D'Imperio, Mike Mauro, Joe Arcara, Jackie Arcara, Chris Pacicca, Rich DeFonce, Jimmy Scali, Tony Mazzone, Filippo Feritto, Rob Siragusa, Jerry Forgione, Frank Sierzega, Paul Giambrone, Adam Straface and Peter Vendola.

Commissioner Wasp thanked Mr. Acocella and all the employees of the DPW who worked on the project. He went on further to state the DPW is lucky to have such wonderful crafters in their department.

Copies to:

- Assessor
- Benefits
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- Engrng
- Law
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- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r



February 7, 2008

2008 - - 085

ACCEPTANCE, WITH REGRET, LETTER OF RETIREMENT
FROM SAVERIO FAZZOLARI

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to accept, with regret, the letter of retirement from Saverio Fazzolari, effective March 28, 2008.

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

Adopted by the following vote:

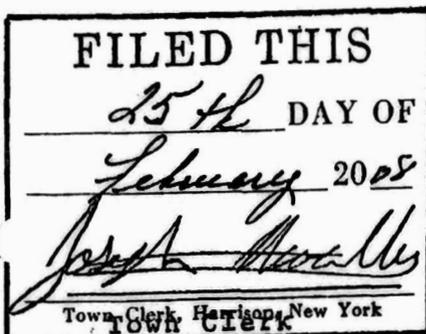
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



February 7, 2008

2008 -- 086

RESCINDING THE APPOINTMENT OF A LEAVE REPLACEMENT
IN THE RECREATION DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to rescind the appointment of a Leave Replacement, in the Recreation Department, made at the January 24, 2008 Town Board meeting. This title must first be submitted to the County Personnel Department.

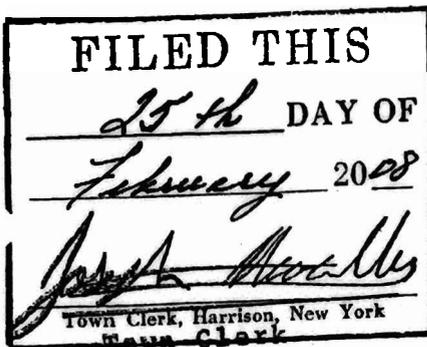
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Superintendent of Recreation and the Personnel Manager.

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
- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r

February 7, 2008

2008 - - 087

APPROVAL FOR MEMBERS OF THE HARRISON POLICE DEPARTMENT TO ATTEND THE "ADVANCED MICROSOFT EXCEL TECHNIQUES" WORKSHOP

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 Sgt. Robert Schanil, Sue DiIuglio and Josephine Corso to attend the "Advanced Microsoft Excel Techniques" workshop, on March 27 and March 28, 2008, at the Best Western Inn and Conference Center in Poughkeepsie, NY, at a cost of \$399 per person. This is a budgeted item.

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

Adopted by the following vote:

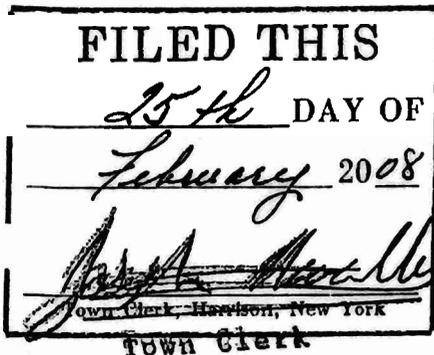
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



February 7, 2008

2008 -- 088

AUTHORIZATION TO APPLY TO WESTCHESTER COUNTY BOARD OF
HEALTH FOR THE 2008 PERMITS TO OPERATE TWO WADING POOLS AND
TWO SWIMMING POOLS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Superintendent of Recreation Ron Belmont for authorization to apply to Westchester County Board of Health for the 2008 permits to operate two wading pools and two swimming pools located in West Harrison and Guagnini Brentwood Park, at the annual fee of \$1,510.

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

Adopted by the following vote:

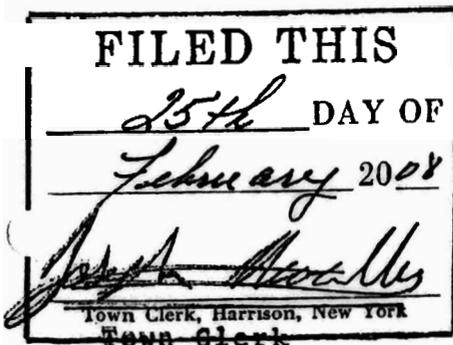
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



February 7, 2008

2008 -- 089

APPROVAL TO UPDATE THE 2006 ASSESSMENT ROLL RE: STAR UPDATES

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Deputy Assessor Mark Heinbockel for authorization to update the 2006 assessment roll for the adopted local option for an open roll for STAR updates. Four (4) cooperative complexes were impacted, resulting in a shortfall in STAR savings for these homeowners. The Assessment Office submitted to the County Tax Commission an application for corrections of multiple parcel errors. The County Tax Commission has recommended that these applications be approved pursuant to section 550 (2)c of the Real Property Tax Law, with the corrections to be made to the tax roll accordingly. The documents submitted to the County Tax Commission are attached.

Properties affected are as follows:

1. 470 Owners Corp., 470 Halstead Ave.
2. 470 Owners Corp., 470 Halstead Ave.
3. Park Knoll Owners Corp (3) tax parcels
4. The Gardens West Tenants Corp., 50 West St.

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

Adopted by the following vote:

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

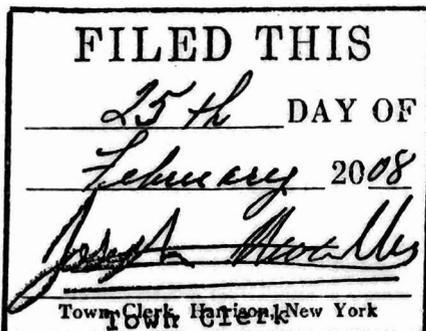
NAYS: None

ABSENT: None

Copies to:

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

Receiver of Taxes



February 7, 2008

2008 -- 090

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS
RE: THE PURCHASE OF MISCELLANEOUS SUPPLIES
FOR THE STREET LIGHTING DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize the Director of Purchasing Judy D'Agostinis to advertise and receive sealed bids for the purchase of Miscellaneous Supplies for the Street Lighting Department.

FURTHER RESOLVED that funding is available in the Department of Public Works 2008 Operating Budget.

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:

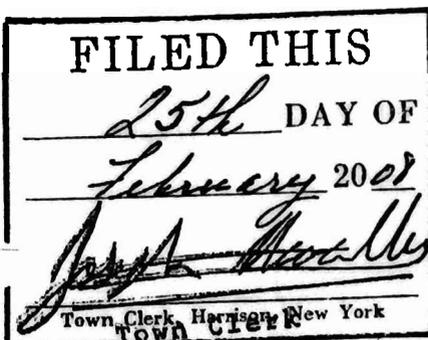
AYES: Councilmen Cannella, Vetere, Scappaticci and Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



February 7, 2008

2008 -- 091 -- a

FOR A NEW VEHICLE FOR THE CHIEF OF FIRE DISTRICT #1

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 of Purchase Order #280326, in the amount of \$32,958.42, for a 2008 Chevrolet Tahoe, 4 door, 4X4, (CK10706), Special Service Vehicle, for the Chief of Fire District #1. Vendor: Hoselton Chevrolet, Inc., 909 Fairport Rd, E. Rochester, NY.

FURTHER RESOLVED that funding is available in account #010-3410-100-02-30.

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

Adopted by the following vote:

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

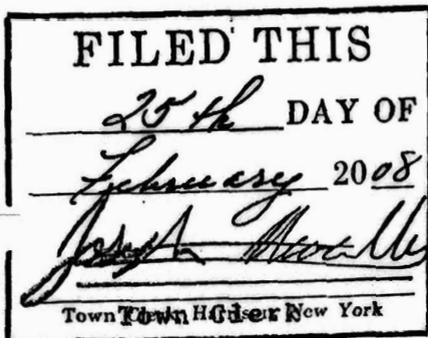
NAYS: None

ABSENT: None

Copies to:

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

Chief of FD #1



February 7, 2008

2008 - - 091 - - b

APPROVAL OF PURCHASE ORDER #280331, IN THE AMOUNT OF \$32,958.42
FOR A NEW VEHICLE FOR THE CHIEF OF FIRE DISTRICT #2

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 for Purchase Order #280331, in the amount of \$32,958.42, for a 2008 Chevrolet Tahoe, 4 door, 4X4, (CK10706), Special Service Vehicle, for the Chief of Fire District #2. Vendor: Hoselton Chevrolet, Inc., 909 Fairport Rd, E. Rochester, NY.

FURTHER RESOLVED that funding is available in account #011-3411-100-02-30.

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

Adopted by the following vote:

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

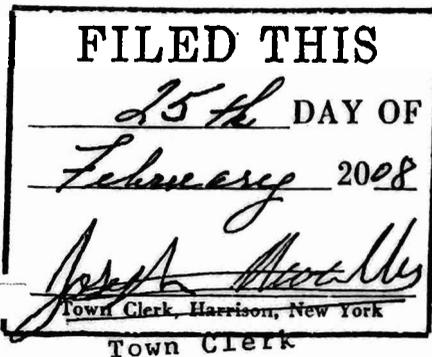
NAYS: None

ABSENT: None

Copies to:

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

Chief of FD #2



February 7, 2008

2008 – 092

TABLED: CLUSTER SUBDIVISION AT 530 WEST STREET,
BLOCK 301, LOT 7

Jonathan Kraut explained that the applicants are before the Town Board this evening under section §235 – 10 of the Town Code which states the Planning Board must request approval from the Town Board in order to consider or contemplate a cluster subdivision. Request from the Planning Board has not yet been received to date.

Janet Giris, Attorney with the firm of DelBello, Donnellan, Weingarten, Wise & Wiederkehr addressed the Board on behalf of her client JCC Construction Company. She stated that this was a subdivision application filed with the Planning Board in September of 2002 and have been working on the application since that time. When the application was first proposed it was contemplated as a five lot conventional subdivision. There is an existing home on the 7 ½ acre property at this time and with approval of this application, four new homes would be built. Mrs. Giris went on to state that over the course of the Environmental Review the Planning Board did issue a Positive Declaration and she prepared an Environmental Impact statement, a DEIS, FEIS and the Planning Board adopted a Finding Statement. Over the course of the lengthy Environmental Review the scope of the project was reduced from four new homes to three new homes, with the existing home remaining with a 4.6 acre parcel of open space which would be protected with a conservation easement in favor of the Town.

Councilman Cannella questioned where the project was in the Planning Board process.

Mrs. Giris stated that the Planning Board has completed the Environmental Review process and at this time the Planning Board is now in a position where they can grant subdivision approval. However, in order for them to grant this preliminary subdivision, the Planning Board needs approval from the Town Board.

Councilman Cannella asked if the Planning Board has referred Mrs. Giris to the Town Board.

Mrs. Giris responded yes.

Deputy Village Attorney Jonathan Kraut stated that there is a procedural piece that needs to be addressed in which there is no referring memorandum or Resolution from the Planning Board requesting the approval from the Town Board.

Mrs. Giris responded that the applicants did complete the Environmental Review study and was told by the Planning Board to bring the findings to the Town Board in order to consider the cluster subdivision.

Steve Marino from Tim Miller Associates addressed the Board and stated that the plan being presented is the cluster plan that is being proposed.

Councilman Cannella asked how many acres are being environmentally protected.

Mr. Marino responded 4 ½ acres out of the 7 ½ acres are being protected.

Supervisor Walsh asked if this was a steep slope.

Mr. Marino stated there are some areas of steep slope and that area has been dealt with in the SEQRA process.

Councilman Cannella asked the size of the building lots.

Mr. Marino responded between .05 and 0.63 acres.

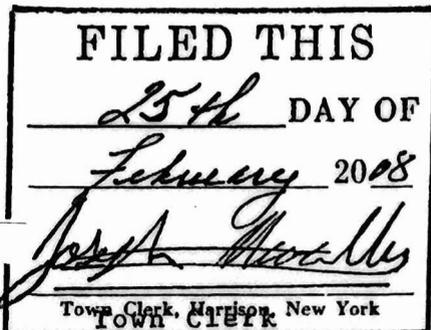
Supervisor Walsh asked Deputy Attorney Kraut if the Town Board can take action.

Mr. Kraut stated that in terms of the correctness of the formal procedures governing the town, the applicants should bring a formal communication from the Planning Board to the Town Board before a vote is taken.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, it was agreed to continue the discussion at the next Town Board meeting.

Copies to:

- Assessor
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- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r
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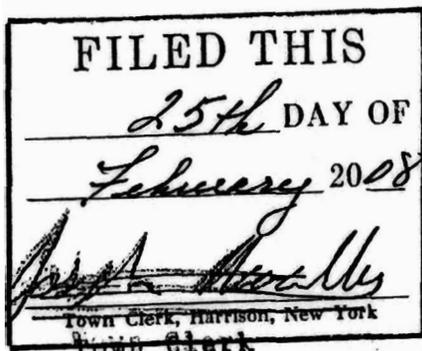


February 7, 2008

2008 -- 093

TABLED TO EXECUTIVE SESSION: APPORTIONMENT OF ASSESSED
VALUATION OF BLOCK 843, LOTS 1 (Po1thru4), 3(Po1thru4), 5(Po5thru8),
7(Po5thru8), 10(9-10-11), 12(12-13), 14(14-15), 16(16-17) and 18(18-19)
ON THE 2007 ASSESSMENT ROLL (TAXES OF 2008).

This matter was tabled to executive session.



Copies to

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- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supva'r

February 7, 2008

2008 - - 094

DESIGNATION OF THE TOWN BOARD AS LEAD AGENCY UNDER SEORA
ADOPTION OF A NEGATIVE DECLARATION UNDER SEORA
RE: SANITARY AND STORMWATER SEWER IMPROVEMENT PROJECT,
MAIN STREET – WEST HARRISON

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to adopt the following Resolution regarding the,

SANITARY AND STORMWATER SEWER IMPROVEMENT PROJECT
MAIN STREET – WEST HARRISON

WHEREAS, The Town of Harrison has experienced a persistent problem regarding the inadequacy of the existing sanitary and storm drainage systems in Main Street, between Underhill Avenue and the City of White Plains municipal boundary near Delfino Park, in West Harrison; and

WHEREAS, this problem has caused sanitary sewage back-ups into private homes and excessive flooding along Main Street during periods of heavy rains; and

WHEREAS, The Town of Harrison has developed a plan to correct this situation through the installation of new infrastructural improvements; and

WHEREAS, the action involves the installation of approximately 1,000 l.f. of new sewer main, including a new connection into the county trunk line; the rehabilitation of 700 l.f. of existing sewer main; the installation of approx. 1,000 l.f. of new storm drain piping w/inlets, road resurfacing and installation of new curbing; and

WHEREAS, the project is classified as an Unlisted Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the SEQRA Regulations, the Town of Harrison, Town Board, hereby designates itself as the Lead Agency for the SEQRA Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

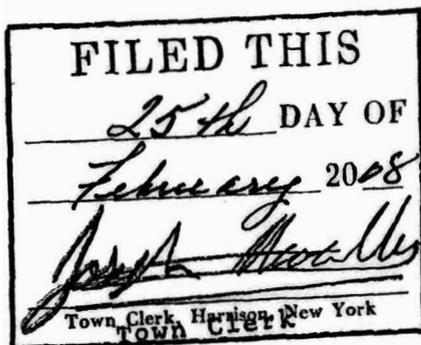
FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works and the Town Attorneys.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

- Assessor
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- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r

February 7, 2008

2008 - - 095

APPROVAL OF LETTER OF RETIREMENT, WITH REGRET,
FROM RICK MAGRINO, GENERAL FOREMAN, IN DPW

Chief of Police Dave Hall stated that he will miss Mr. Magrino and thanked him for an exceptional job in maintaining the Police Department fleet of cars.

Commissioner of Public Works also thanked Mr. Magrino for his years of service to the Town of Harrison and he will be missed.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept, with regret, the letter of retirement of Rick Magrino, General Foreman in the Department of Public Works, effective March 28, 2008.

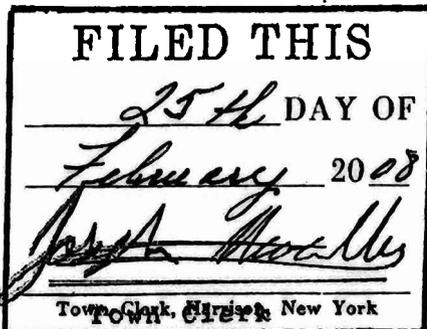
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Commissioner of Public Works and the Personnel Manager.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

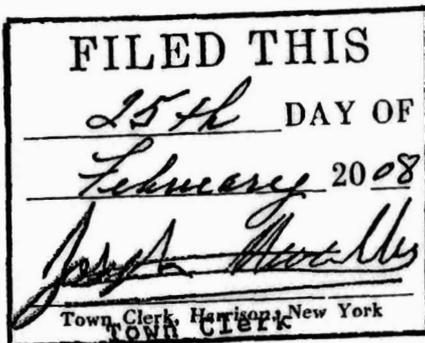
- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
- Law
- Police
- P. Wrks
- Purch'g
- Recr'tn
- Supvs'r

February 7, 2008

2008 -- 096

TABLED: UPDATE: RE: THE PROPOSALS FOR TOWN HALL OFFICE SPACE.

Commissioner of Public Works Bob Wasp updated the Board Members on two proposals regarding Town Hall office space. This matter was adjourned to the February 21st Town Board meeting in order for the members to review the plans.



Copies to:

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- Recr'tn
- Supvs'r

February 7, 2008

2008 -- 097

UPDATE: WESTCHESTER COUNTY READY TO START RECONSTRUCTION
WORK ON ANDERSON HILL ROAD,
FROM OPHIR FARM DRIVE TO PURCHASE STREET

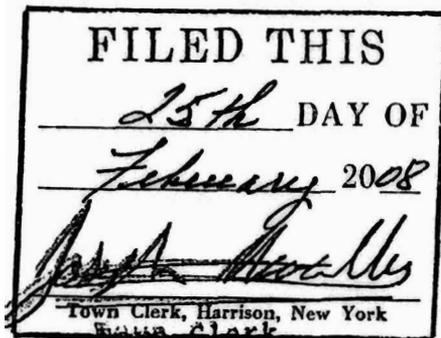
Commissioner of Public Works Bob Wasp stated that the Deputy Commissioner Of Public Works Tony Robinson attended a meeting this past week with Westchester County Officials who stated that the reconstruction of Anderson Hill Rd will begin February 19, 2008. The road will be open at all times during this construction but may be shutting down lanes periodically. The initial work that will be done will be curbs and sidewalks. He went on to say the paving of the roads would take place in the spring.

Supervisor Walsh asked if they would be widening the road.

Mr. Wasp responded no.

Chief of Police Dave Hall asked where the reconstruction would be taking place.

Mr. Wasp responded from Ophir Farm Drive to Purchase Street.



Copies to:

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

February 7, 2008

2008 - - 098

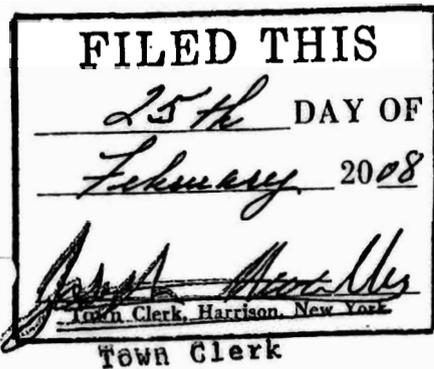
MATTERS FOR EXECUTIVE SESSION:

Personnel	9
Advice of Counsel	2
Litigation	9
Acquisition	1

On motion duly made and seconded,
with all members in favor,
the Meeting was recessed to Executive Session at 9:38 PM.

Copies to:

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



February 7, 2008

2008 -- 099

APPROVAL OF THE APPRAISAL OF A CERTAIN PIECE OF PROPERTY AS
DISCUSSED IN EXECUTIVE SESSION.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the appraisal of a certain piece of property as discussed in executive session in an amount not to exceed \$4,000.

FURTHER RESOLVED that funding is available in budget line 001-1900-100-4425.

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

Adopted by the following vote:

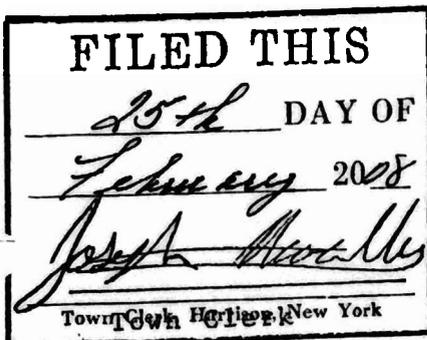
AYES: Councilman Cannella, Vetere, Scappaticci, Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

Copies to:

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



February 7, 2008

2008 - - 100

APPOINTMENT OF DAVID VARBERO TO THE POSITION OF AUTO MECHANIC
IN THE EQUIPMENT MAINTENANCE DIVISION, OF THE DPW

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint David Varbero to the position of auto mechanic in the Equipment Maintenance Division, of the Department of Public Works, at an annual salary of \$56,568, which is 80% of the Teamster Contract for an Auto Mechanic, effective February 8, 2008,

FURTHER RESOLVED that this appointment is conditional upon Mr. Varbero passing physical, drug and alcohol tests.

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

Adopted by the following vote:

- AYES: Councilman Cannella, Vetere Scappaticci, 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
25th DAY OF
February 2008
Joseph Scappaticci
 Town Clerk, Harrison, New York
 Town Clerk

February 7, 2008

2008 - - 101

APPOINTMENT OF JAMES CIANCI TO THE POSITION OF AUTO MECHANIC IN THE
EQUIPMENT MAINTENANCE DIVISION OF THE DPW

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint James Cianci to the position of auto mechanic in the Equipment Maintenance Division, of the Department of Public Works, at an annual salary of \$56,568, which is 80% of the Teamster Contract for an Auto Mechanic, effective February 8, 2008;

FURTHER RESOLVED that this appointment is conditional upon Mr. Cianci passing physical, drug and alcohol tests.

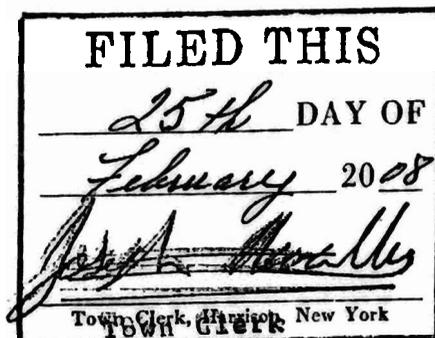
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Attorneys, the Personnel Manager and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilman Cannella, Vetere Scappaticci, Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None



Copies to:

- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
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February 7, 2008

2008 - - 102

**APPOINTMENT OF ROBERT STRUZZI TO THE POSITION OF ROAD MAINTAINER
IN THE HIGHWAY DIVISION OF THE DPW**

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Robert Struzzi to the position of Road Maintainer in the Highway Division of the Department of Public Works, effective February 8, 2008, at an annual salary of \$49,627, which is 80% of the Teamster Contract for a Road Maintainer.

FURTHER RESOLVED that this appointment is conditional upon Mr. Struzzi passing physical, drug and alcohol tests.

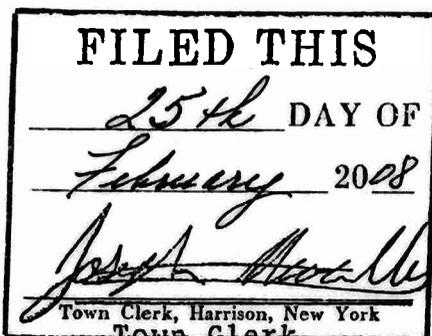
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Attorneys, the Personnel Manager and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilman Cannella, Vetere Scappaticci, Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None



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February 7, 2008

2008 - - 103

APPOINTMENT OF CHRIS PARKS AS FOREMAN IN THE HIGHWAY DIVISION,
OF THE DPW

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to appoint Chris Parks as Foreman in the Highway Division, of the Department of Public Works, at an annual salary of \$75,208, retroactive to January 1, 2008.

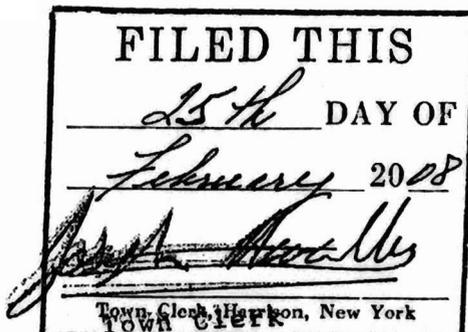
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Town Attorneys, the Personnel Manager and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Councilman Cannella, Vetere Scappaticci, Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None



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February 7, 2008

2008 - - 104

SETTLEMENT OF CLAIM: GAUDENZI v. TOWN OF THE HARRISON
IN AN AMOUNT AS DISCUSSED IN EXECUTIVE SESSION

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim of Gaudenzi v. Town of Harrison in an amount as discussed in executive session.

FURTHER RESOLVED that the claimant sign a General Release.

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

Adopted by the following vote:

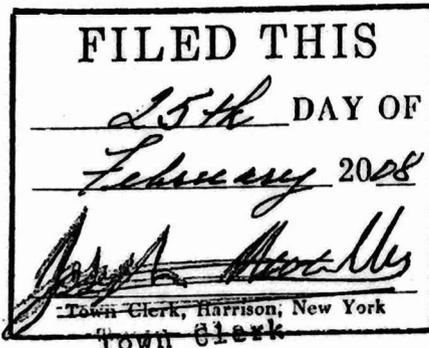
AYES: Councilman Cannella, Vetere Scappaticci, Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None

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- Supvs'r



February 7, 2008

2008 - - 105

SETTLEMENT OF CLAIM: TOWER INSURANCE v. TOWN OF HARRISON IN THE
AMOUNT AS DISCUSSED IN EXECUTIVE SESSION

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to settle the claim of Tower Insurance v. Town of Harrison in an amount as discussed in executive session.

FURTHER RESOLVED that the claimant sign a General Release.

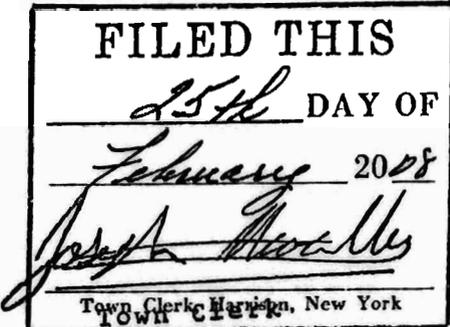
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

- AYES: Councilman Cannella, Vetere Scappaticci, Sciliano
Supervisor Walsh
- NAYS: None
- ABSENT: None

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- Supvs'r



February 7, 2008

2008 - - 106

APPOINTMENT OF IRA LEVY AS OUTSIDE COUNSEL FOR
TAX CERTIORARI MATTERS IN AN AMOUNT NOT TO EXCEED \$40,000.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to appoint Ira Levy as Outside Counsel for tax certiorari matters in an amount not to exceed \$40,000.

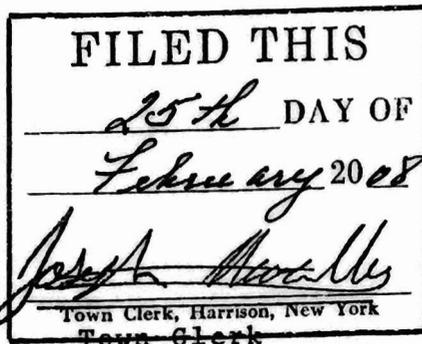
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys

Adopted by the following vote:

AYES: Councilman Cannella, Vetere Scappaticci, Sciliano
Supervisor Walsh

NAYS: None

ABSENT: None



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-

February 7, 2008

2008 - - 107

AUTHORIZATION FOR PAYMENT OF 105 ACCRUED VACATION DAYS
TO RICK MAGRINO UPON HIS RETIREMENT,

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize payment of 105 accrued vacation days to Rick Magrino upon his retirement as General Foreman of the Equipment Maintenance Division of the Department of Public Works, effective March 28, 2008.

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

Adopted by the following vote:

AYES: Councilman Cannella, Vetere Scappaticci, Sciliano
Supervisor Walsh

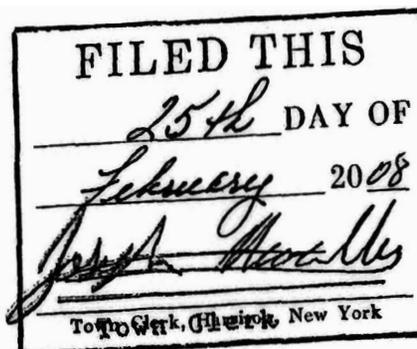
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the meeting was, on motion duly made and seconded,
with all members voting in favor, declared closed at 12:22 AM on February 8, 2008.

Respectfully submitted,

Joseph Acocella
Town Clerk



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