

May 21, 2009

A regular Meeting of the Village Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 21st day of May at 8:15 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Mayor

Joseph Cannella)
Patrick Vetere)Trustees
Fred Sciliano)

MEMBERS ABSENT:

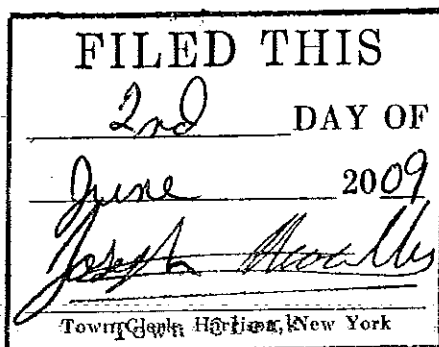
Thomas Scappaticci)Trustee

ALSO ATTENDING:

Frank Allegretti Town Attorney
Fred Castiglia Deputy Town Attorney
Robert Paladino..... Village Attorney
Jonathan Kraut Deputy Village Attorney
David Hall Chief of Police
Maureen MacKenzie Treasurer
Robert Wasp Commissioner of Public Works
Robert FitzSimmons Building Inspector
Judy D'Agostinis Director of Purchasing
Ron Belmont Superintendent of Recreation

Copies to:

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



May 21, 2009

V -- 2009 -- 042 -- a

DESIGNATION OF THE VILLAGE BOARD AS LEAD AGENCY UNDER SEQRA
RE: DISCONTINUANCE OF A PORTION OF ROCKWELL STREET

On motion of Trustee Cannella, seconded by Trustee Vetere,

it was

RESOLVED to declare the Village Board as lead agency under SEQRA.

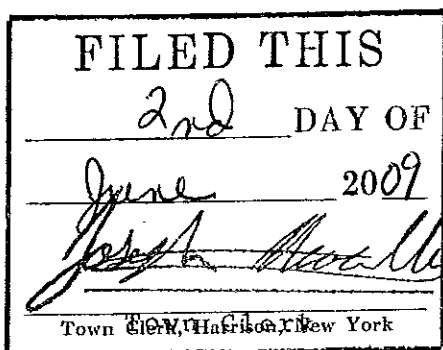
FURTHER RESOLVED to forward a copy of this Resolution to the Village Attorneys.

Adopted by the following vote:

AYES: Trustees Cannella, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: Trustee Scappaticci



Copies to:

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

May 21, 2009

V - - 2009 - - 042 - - b

PUBLIC HEARING: DISCONTINUANCE OF A PORTION OF ROCKWELL STREET

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

Village Attorney Robert Paladino addressed the Board. Mr. Paladino stated that he understood there was numerous people in the audience this evening to voice their opposition to this proposal. Mr. Paladino stated it is important for the residents to understand that this proposal is a very simple legal issue and that through a Town Board Resolution, mandated by the NYS Attorney General under state law, the Town needs to act on a formal basis to abandon what is now on the town maps a paper street. That paper street exists as a continuation of Rockwell Street from Holland Street to Calvert Street and it cuts through what the town observes to be Petti John Park. If the Board adopts the request, all of the lots involved would be re-apportioned by the Assessor. The lot would then be designated as park land. Mr. Paladino explained he, as well as other members of the law department are aware that Petti John Park is indeed a park in the town. Mr. Paladino stated he recognized that the residents of the area are concerned with the potential sale of a lot that would be created and possibility of the addition of another structure on that property. Mr. Paladino further explained it would be fair to assume that there is a question surrounding the piece of land (approx. 30x50) and whether it is part of the park or not. Mr. Paladino stated the purpose of this meeting was to solely de-map an existing paper street and nothing else. The Town Board will be reviewing several other paper streets throughout the town in order to ensure no resident's property is hindered. Mr. Paladino stated he has given each member of the Board a packet of documents from Acting Village Engineer Robert Wasp which indicated there is no need for the paper street. As well as maps of the paper street and a draft negative declaration form.

Mario Muollo, resident, addressed the Board in opposition to the proposal. Mr. Muollo stated it was poor planning for the town's administration to sell the property in question in order to close a budget gap. Mr. Muollo further stated that present administration inherited a large financial problem however; selling any open space in the town is not the solution. Selling the property would cause just another structure to be built which would add to the existing parking and quality of life problems in the area. Mr. Muollo asked the Mayor and the Board to reconsider selling the property.

Mark Muollo, resident addressed the Board in opposition to the proposal. Mr. Muollo stated the entire park should be considered park land as it has been for over the past fifty years. Mr. Muollo further stated that selling such a piece of property would allow a structure to be built facing the front door of another resident which would be "insensitive". Mr. Muollo asked the Board to reject this proposal.

Albert Hatem, resident, addressed the Board in opposition to the proposal. Mr. Hatem questioned if the documents that were presented to the Board this evening contains any information regarding as to whether the park was dedicated. Mr. Hatem stated the neighbor of the property in question (The Polumbo's) have been the de facto caretakers of the said property and if it is sold it would be unfair to them, their family and the neighborhood. The sale of the property would also lead to a quality of life issue in addition to the already existing parking problem in the neighborhood.

Patty Langiolotti, resident, addressed the Board in opposition to the proposal. Mrs. Langiolotti stated she found evidence in the Town Clerks office that the park was in fact dedicated in 1936. Mrs. Langiolotti stated that because this land has been used as park land by the residents, and because there is a sign deeming it a park, it should remain a park.

Frank Acocella, on behalf of the Brentwood Preservation Committee, addressed the Board in opposition to the proposal. Mr. Acocella stated that the town was warned a few years ago by Standard & Poors that it is not a good idea to balance its budget by selling open space. Mr. Acocella further stated that according to information provided by Assemblyman Adam Bradley, park land is defined by the wishes of the local municipality. Therefore, the property in question should be considered part of Petti John Park land. Mr. Acocella further argued this proposal was a bad idea and should be rejected.

Mary Fiore, resident, addressed the Board in opposition to the proposal. Mrs. Fiore stated the park is for everyone not a few residents and should remain the way it is. Mrs. Fiore also added that there is a severe parking problem around the park area and recommended creating additional parking spaces on the property in question.

Mayor Walsh stated the Town of Harrison cares deeply about this park which is why Westchester County is giving the town \$50,000.00 to renovate the park and the town will match that amount with \$42,000.00. The Mayor explained the original tax increase this year was over 10% however, a developer approached the Mayor and was interested in purchasing a piece of town property for a few million dollars. Therefore, the Mayor added \$1 million to the budget for sale of property. That amount brought the budget increase to a little over 9% increase. With that, the Mayor stated there is still a considerable financial problem the town is facing and as a result, the Board is looking for new ways to cut costs and bring in additional revenue. The Mayor explained that selling town property is a necessary solution in order to avoid a higher tax increase for next year.

Councilman Cannella stated that Mr. Paladino explained earlier in the evening that the purpose of this evening's agenda item was to consider whether to de-map a paper street. The councilmen continued on by stating the Mayor has just contradicted the entire purpose of the proposal and is confusing the members of audience. Councilman Cannella stated the only matter before the Board this evening is whether or not to de-map the paper street. Mr. Cannella went on to state the town will have to sell some property for budget purposes however, this particular piece of property is not the right kind. The councilman further explained he was prepared to de-map the

road this evening because it is the right thing to do however; he is not prepared to discuss selling the piece of property.

Brendon Murphy, resident addressed the Board in opposition to the proposal. Mr. Murphy questioned what area of the park will be renovated from the County funds.

Mayor Walsh responded the main area of the park. The Mayor does not believe the piece of property in question is park land.

Mr. Paladino responded to be clear for the record; the funds from the county are really funds from the federal government.

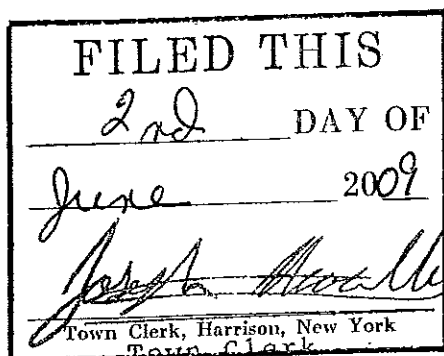
Mr. Murphy stated he and the neighbors of the park believe the area in question is in fact part of the park and should not be sold. Furthermore, Mr. Murphy cautioned the town in diluting any portion of the park because according to County Legislator Rogowsky, if the town did that they (the town) may be required to return a certain amount of funds given to them to renovate the park.

Mayor Walsh disagreed with Mr. Murphy and stated the purpose of this evening was to de-map the street.

Councilman Cannella stated the topic of the de-mapping of the paper street was introduced by Mr. Paladino earlier this evening. However, the discussion has turned to the sale of property and he (Councilman Cannella) is not prepared to discuss that proposal at this time.

On motion of Mayor Walsh, seconded by Trustee Vetere, with all members voting in favor, the Hearing was closed.

The matter was adjourned to a later (unspecified) date.



Copies to:

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

May 21, 2009

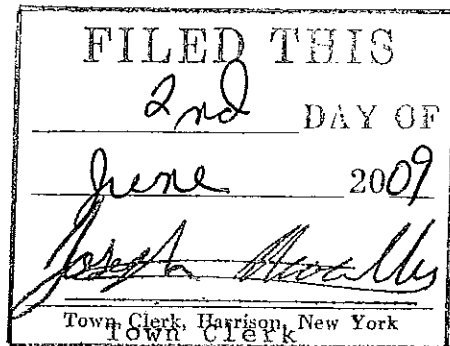
V -- 2009 -- 043 -- a

PUBLIC HEARING – RE: THE FORMATION OF
A SEWER DISTRICT EXTENSION ON CENTURY TRAIL

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

Bill Morgenroth, Consulting Engineer, addressed the Board. Mr. Mogenroth stated he is presenting a petition for an extension of a sewer district that would extend the sewer approximately 350 feet so that the petitioner can be served at 4 Century Trail. Mr. Morgenroth stated he has contacted each resident of the street and invited them to participate. Mr. Morgenroth has heard back from several residents who stated they were not interested in joining and he still has yet to hear back from several others. Mr. Morgenroth went on to state that right now there is only one participant but residents are welcome to join the district later if they should choose.

On motion of Trustee Cannella, seconded by Trustee Vetere, 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

May 21, 2009

V - - 2009 - - 043 - - b

APPROVAL FOR THE FORMATION OF A SEWER DISTRICT EXTENSION
ON CENTURY TRAIL

On motion of Trustee Cannella, seconded by Trustee Vetere,

it was

RESOLVED to approve the request of William Morgenroth, Consulting Engineer for authorization for the formation of a sewer district extension on Century Trail.

FURTHER RESOLVED to forward a copy of this Resolution to the Village Attorneys and the Village Engineer.

Adopted by the following vote:

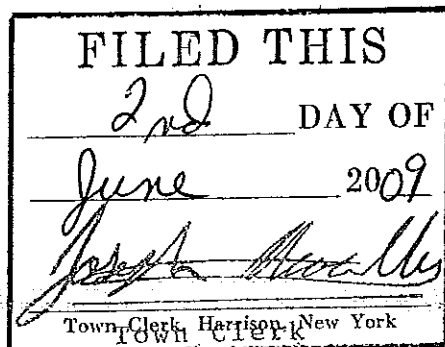
AYES: Trustees Cannella, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: Trustee Scappaticci

Copies to:

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



May 21, 2009

V - - 2009 - - 044

APPROVAL FOR REVISION TO CONTRACT AMENDMENT #2
WITH KELLARD SESSION ENGINEERING. COST: AN ADDITIONAL \$20,000.

On motion of Trustee Cannella, seconded by Trustee Vetere,

it was

RESOLVED to approve the request of Acting Village Engineer Robert Wasp for authorization to revise contract amendment #2 with Kellard Session Engineering for the Meadow Lane Drainage Improvements project, to include additional work tasks related to design modifications required to mitigate additional stormwater flows and survey work in the amount of \$44,000. Therefore, an additional \$20,000 is required to fully fund and approve this proposed work.

FURTHER RESOLVED that funding is not to exceed the amount of \$36,870 for construction administration and inspection services for the Meadow Lane project.

FURTHER RESOLVED that funding is available in the Meadow Lane Drainage District Improvements Capital Account.

FURTHER RESOLVED to authorize the Law Department to increase the upset limit of the contract by \$56,870, from \$39,000 to \$95,870.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Village Engineer and the Village Attorneys.

Adopted by the following vote:

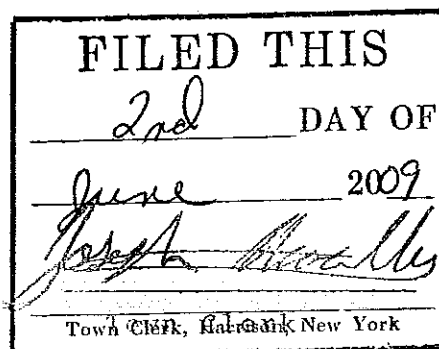
AYES: Trustees Cannella, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: Trustee Scappaticci

Copies to:

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



May 21, 2009

V - - 2009 - - 045

APPROVAL FOR AMENDMENT #1 TO THE CONTRACT WITH GARY SPILATRO
FOR WORK RELATED TO THE GLEASON PLACE GARAGE. COST: \$3,500

On motion of Trustee Cannella, seconded by Trustee Sciliano,

it was

RESOLVED to approve the request of Commissioner of Public Works Robert Wasp for authorization for Amendment #1 to the contract with Gary Spilatro for work related to design services and asbestos abatement at the Gleason Place Garage, at a cost not to exceed \$3,500.

FURTHER RESOLVED to authorize the Director of Purchasing to increase the Purchase Order from \$11,800 to \$15,300.

FURTHER RESOLVED that funding is available in Capital Account #08PW04.

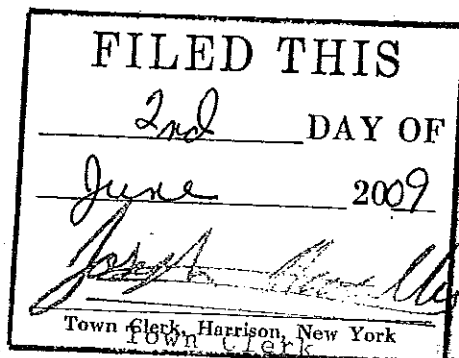
FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Commissioner of Public Works, the Village Attorneys and the Director of Purchasing.

Adopted by the following vote:

AYES: Trustees Cannella, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: Trustee Scappaticci



Copies to:

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

May 21, 2009

2009 -- 046

APPROVAL FOR AMENDMENT #2 TO THE CONTRACT WITH BSG ENGINEERING FOR THE DRAINAGE IMPROVEMENTS AT WOODLAND ROAD, GENESEE TRAIL and RAMAPO TRAIL. COST: NOT TO EXCEED \$82,000.

On motion of Trustee Sciliano, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Acting Village Engineer Robert Wasp for authorization for Amendment #2 to the contract with BSG Engineering for work related to permitting, final design, preparation of construction documents and bid support for the drainage improvements at Woodlands Road, Genesee Trail and Ramapo Trail, at a cost not to exceed \$82,000.

FURTHER RESOLVED to authorize the Law Department to prepare the contract amendment and to increase the upset limit of the contract by \$82,000, from \$114,400 to \$196,400.

FURTHER RESOLVED that funding is available in Capital Account #08DR05 – Drainage.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Village Engineer, the Village Attorneys and the Director of Purchasing.

Adopted by the following vote:

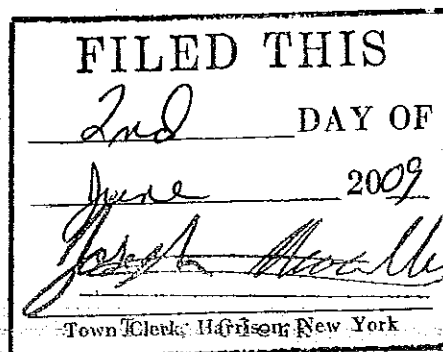
AYES: Trustees Cannella, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: Trustee Scappaticci

Copies to:

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



May 21, 2009

V - - 2009 - - 047

APPROVAL FOR AMENDMENT #2 TO THE CONTRACT WITH
BILOTTA CONSTRUCTION FOR WORK RELATED TO BEVERLY ROAD
AND HIGHLAND ROAD. COST: NOT TO EXCEED \$54,297.95.

On motion of Trustee Sciliano, seconded by Mayor Walsh,

it was

RESOLVED to approve the request of Commissioner of Public Works Robert Wasp for authorization for Amendment #2 to the contract with Bilotta Construction for work related to Beverly Road and Highland Road at an amount not to exceed \$54,297.95. This completes the last of our 2008 resurfacing work.

FURTHER RESOLVED that the work tasks included in this amendment include the remaining curb restoration and pavement preparation and paving.

FURTHER RESOLVED that funding is available in Capital Account #08SD03 – Sewer Repairs, Curbing and Sidewalks (\$15,686.37) with the balance available in Capital Account #08HW02 – 2008 Road Resurfacing (\$38,611.58)

FURTHER RESOLVED to authorize the Law Department to increase the upset limit of the contract by \$54,297.95 from \$735,216.68 to \$789,514.63.

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

Adopted by the following vote:

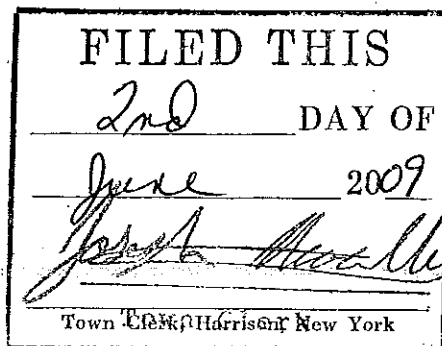
AYES: Trustees Cannella, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: Trustee Scappaticci

Copies to:

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

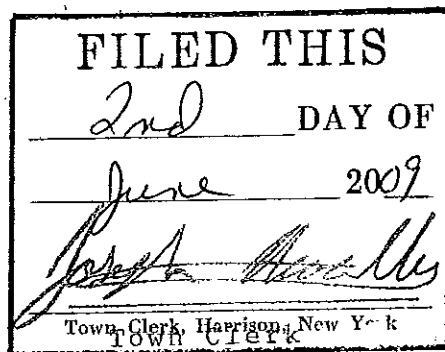


May 21, 2009

V - - 2009 - - 048 - - a

DISCUSSION: APPROVAL TO THE PROPOSED MAIN STREET DESIGN CHANGES

Village Engineer Robert Wasp addressed the Board. Mr. Wasp requested authorization from the Board to approve the proposed design changes for the Main Street Sewer and Roadway Improvements Project. The specific changes were 1) Increase road width from 24' to 40', 2) On street parking on the north and south side of the street 3) Installation of sidewalks on the north side of Main Street instead of the on the south side as originally designed. Mr. Wasp further requested funding in the amount of \$200,000.00 to fund the change orders for this work. This figure is based on preliminary construction estimates.



Copies to:

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

May 21, 2009

V -- 2009 -- 048 -- B

APPROVAL OF THE PROPOSED MAIN STREET DESIGN CHANGES

On motion of Trustee Sciliano, Trustee Cannella

it was

RESOLVED approve the proposed design changes for the Main Street Sewer and Roadway Improvements Project.

FURTHER RESOLVED to authorize the amount of \$200,000.00 to fund the change orders for this work.

FURTHER RESOLVED that funding be taken from The Stormwater Capital Fund

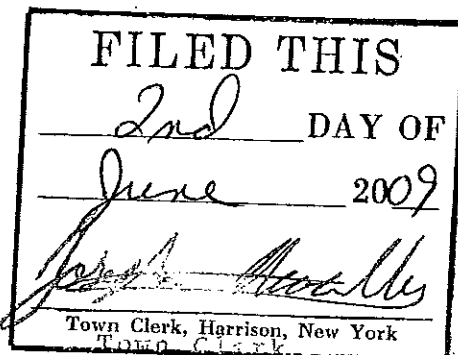
FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Commissioner of Public Works and the Village Attorneys.

Adopted by the following vote:

AYES: Trustees Cannella, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: Trustee Scappaticci



Copies to:

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

May 21, 2009

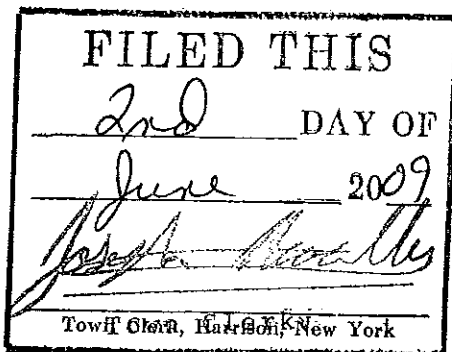
V - - 2009 - - 049

DICUSSION: RESIDENTS USING SUB PUMPS

Village Engineer Robert Wasp stated his department has found evidence that there are residents using the sanitary sewers. Mr. Wasp explained that residents are pumping water from their home into the sanitary sewers using their sub pumps. This is a violation and Mr. Wasp asked residents to refrain from continuing. Letters will be sent to residents as a reminder and fines will be issued if they continue.

Copies to:

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



May 21, 2009

V -- 2009 -- 050

DISCUSSION: COST SAVING AND REDUCTION RECOMMENDATIONS

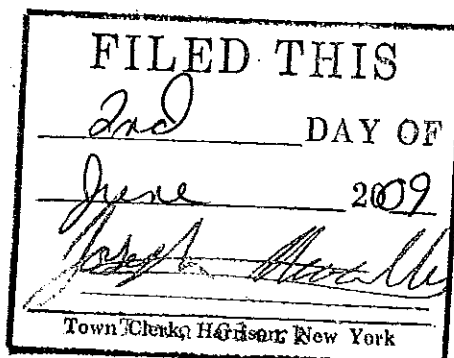
Noami Oppman, resident, addressed the Board. Ms. Oppman stated she had a few recommendations on ways to bring in additional revenue and cut costs in the town instead of laying employees off. Ms. Oppman recommended the following:

- 1) Increase library fines
- 2) Stagger library hours between the three libraries in town
- 3) The DPW employees should not take everything that is put out on the curb for pick-up. There should be a list of what is accepted and what is not.
- 4) Discontinuation of leaf pick-up
- 5) Commercial establishments should be charged for sanitation pick-up or the practice should be discontinued.
- 6) Employees should not be suspended for lengthy periods of time.

There being no further matters to come before the Board,
the Meeting was on motion duly made and seconded,
with all members voting in favor, declared closed at 11:33 PM.

Respectfully submitted,

Joseph Acocella
Village Clerk



Copies to:

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