

July 18, 2013

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 Thursday, July 18, 2013 at 7:30 PM. Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont Supervisor

Marlane Amelio)

Joseph Cannella) Councilpersons

Fred Sciliano)

Stephen Malfitano)

ALSO ATTENDING:

Frank Allegretti Town Attorney

Maureen MacKenzie Comptroller

Anthony Marraccini Chief of Police

Anthony Robinson Commissioner of Public Works

Copies to:

Assessor

Benefits

Bldg

Compt'lr

Engng

Law

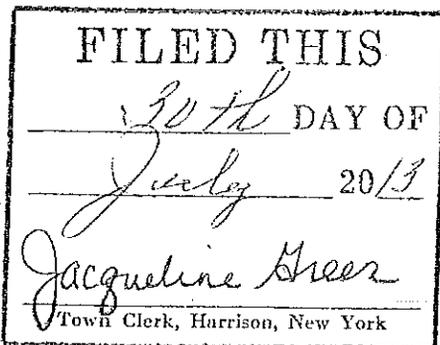
Police

P. Wrks

Purch'g

Recr'tn

Supvs'r



July 18, 2013

2013 - - 219

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the following correspondence and reports:

- 1a. Monthly report by the Town Clerk for June 2013.
- 1b. Monthly report by the Receiver of Taxes for June 2013.
- 1c. Quarterly report by the Library Director for April, May and June 2013.
- 1d. Monthly report by the Chief of Police for May and June 2013.
- 1e. Monthly report by the Fire Marshal for June 2013.
- 1f. Monthly report by the Superintendent of Recreation for June 2013.

Adopted by the following vote:

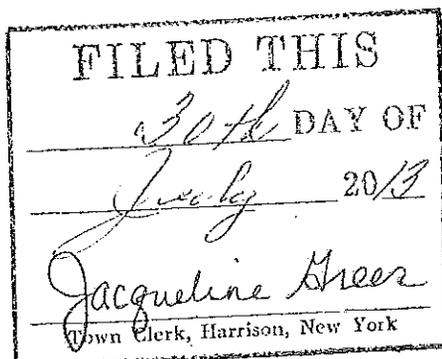
AYES: Councilpersons Amelia, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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- Benefits
- Bldg
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- P. Wrks
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-



July 18, 2013

2013 - - 220 - - a

PUBLIC HEARING – PROPOSED LOCAL LAW AMENDING
CHAPTER 183 ENTITLED “PEDDLING AND SOLICITING
AND DO NOT KNOCK REGISTRY”

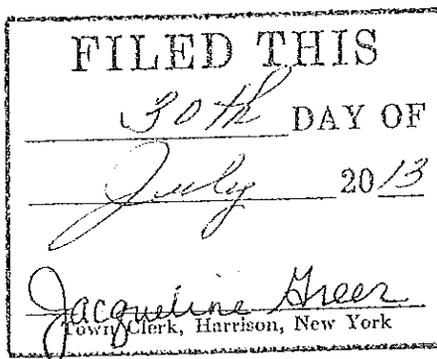
On motion of Councilman Malfitano, seconded by Councilwoman Amelio, with all members voting in favor, the Hearing was opened.

Town Attorney Frank Allegretti explained that this is an amendment to Chapter 183. One of the issues after this was initially enacted dealt with the Division of Criminal Justice Services (“DCJS”) requirement regarding fingerprinting. They asked us to rewrite the entire paragraph which we did. We also had some other issues which we took a closer look at; these being the hours of solicitation. You have those revisions before you.

With no one speaking in favor or against the Hearing was closed.

Copies to:

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- Purch’g
- Recr’tn
- Supvs’r
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July 18, 2013

2013 -- 220 -- b
APPROVAL OF LOCAL LAW NO. 1 OF 2013 AMENDING
CHAPTER 183 ENTITLED "PEDDLING AND SOLICITING
AND DO NOT KNOCK REGISTRY"

On motion of Councilman Malfitano, seconded Councilwoman Amelio,

it was

RESOLVED to approve Local Law No. 1 of 2013 amending chapter 183 entitled "Peddling and Soliciting and Do Not Knock Registry"

A Local Law amending Chapter 183, entitled "Peddling and Soliciting and Do Not Knock Registry" of the Town Code of the Town of Harrison as follows:

§ 183-4. Application requirements.

B. Upon submitting a completed application, each applicant shall be given a copy of the completed application by the Town Clerk, and each applicant shall personally deliver the copy of the completed application to the Town of Harrison Police Department. The Town Clerk should also deliver a duplicate copy of the completed application to the Town of Harrison Police Department. All applicants for a permit pursuant to Chapter 183 "Peddling, Soliciting and Do Not Knock Registry" from the Town of Harrison shall submit to fingerprinting and shall be subject to a review of their criminal history record by the Chief of Police of the Town of Harrison Police Department, or his/her designee. All fingerprints and any applicable fees must be submitted in the form and manner as prescribed by Division of Criminal Justice Services ("DCJS"). Any decision regarding a prospective applicant's fitness for a permit based upon a conviction contained in the criminal history background information obtained from the DCJS must be made upon consideration of New York State Correction Law Sections 701-703-b and Sections 751-753.

E. Time Limitations

(1) Peddling hereby is prohibited, except between the hours of 10:00 a.m. and 8:00 p.m. House to house peddling is prohibited altogether on Sundays and holidays and on other days, except between the hours of 10:00 a.m. and 8:00 p.m.

(2) Soliciting hereby is prohibited altogether on Sundays and holidays and on other days except between the hours of 10:00 a.m. and 8:00 p.m.

July 18, 2013

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§ 183-7 Permit Period.

No permit shall be issued and none shall be valid for a period longer than one year from the date of issuance thereof, but in no event longer than until the first day of January next succeeding such date of issuance.

§183-9. Permit Fees.

C. All applicants are required to pay all fingerprinting and processing fees as prescribed by the Division of Criminal Justice Service of New York State.

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

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department and the Town Clerk.

Adopted by the following vote:

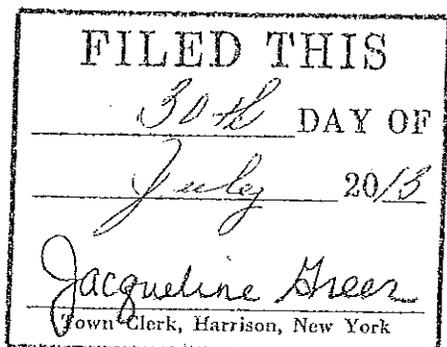
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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July 18, 2013

2013 - - 221 - - a

PUBLIC HEARING – RE: WESTCHESTER JOINT WATER WORKS
RATE INCREASE

On motion of Councilwoman Amelio, seconded by Councilman Sciliano, with all members voting in favor, the Hearing was opened.

Tony Cannetta, Manager of the Westchester Joint Water Works said he was before the Board to present the 2013 proposed water rate increase. Before making the formal presentation he went over a few overview items. Recently everyone throughout the waterworks service area received the annual Water Quality Report. This year we had an insert with information that is also on our website. We are reminding residents to check their irrigation systems, use water wisely and fix leaks as soon as possible. We have high demand of water usage between 5:00 AM and 9:00 AM. He suggested using other hours.

By way of background, Westchester Joint Water Works (WJWW) has been operating the last four or five years, is that we work on a preliminary budget for the first six months of the calendar year and then we modify our budget effective July 1st when New York City sets their new water rates.

Westchester Joint Water Works

Town of Harrison

Proposed Water Rate Increase

Westchester Joint Water Works

Town of Harrison

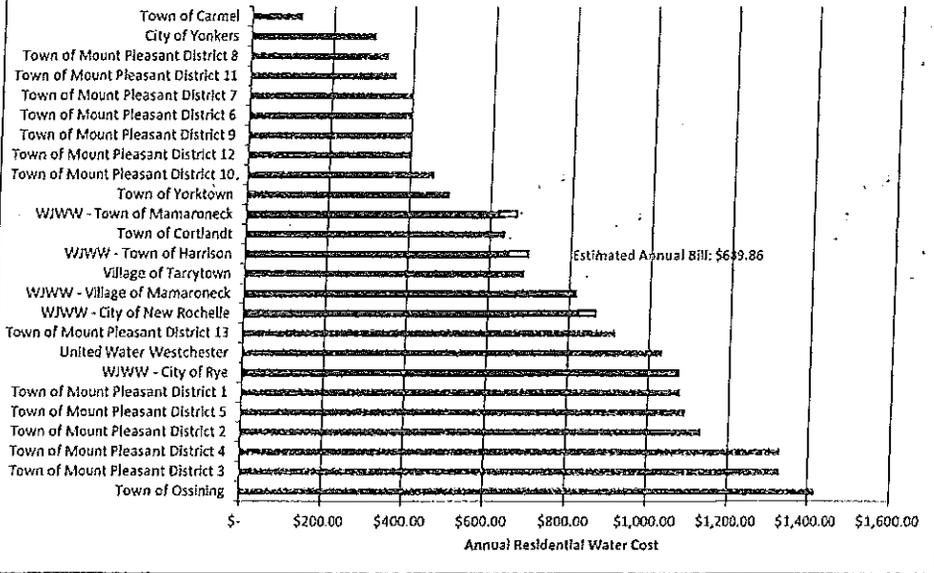
Rate Increase History

<u>Year</u>	<u>NYC DEP</u>	<u>Town of Harrison</u>
2000	8.0%	3.0%
2001	8.0%	2.0%
2002	8.0%	2.0%
2003	12.0%	3.0%
2004	9.0%	28.0%
2005	4.0%	1.0%
2006	12.0%	3.0%
2007	15.0%	4.0%
2008	13.0%	10.0%
2009	2.0%	9.0%
2010	25.0%	28.0%
2011	5.6%	9.5%
2012	<u>9.8%</u>	<u>17.0%</u>
13 Year Average	10.1%	9.2%
2013 Rate Increase	12.3% (Adopted)	6.5% (Proposed)

2000 - 2012 Water Rate Increase 13 Year Averages

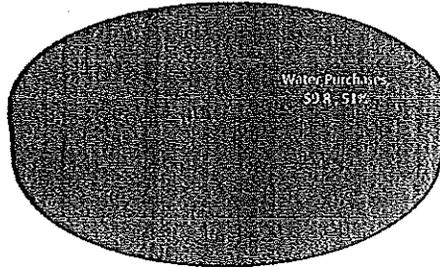
NYCDEP	10.1%
Village of Mamaroneck	11.7%
Town of Harrison	9.2%
Town of Mamaroneck	8.7%
<hr/>	
Proposed Town of Harrison	6.5%

2013 Residential Water Cost Comparison
Residents in Westchester and Putnam County
(Based on 100,000 gallons of annual water consumption)

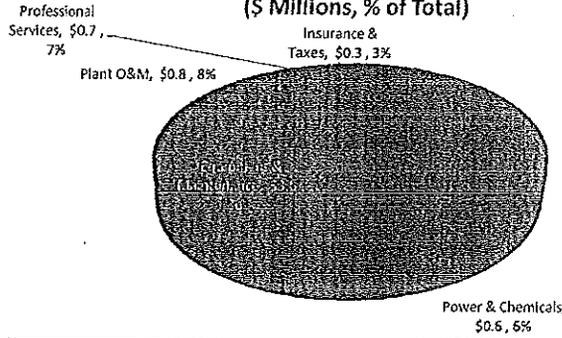


Note: Unshaded portion of Harrison bar represents incremental amount associated with 6.5% increase (\$42.30 annually).

WJWW 2013 Expense Base - \$19.4 Million
(\$ Millions, % of Total)



WJWW 2013 Operating Expenses - \$9.6 Million
(\$ Millions, % of Total)



Basis for 2013 Town of Harrison Proposed Water Rate Increase

Expenses:

Town of Harrison Share of Budgeted WJWW Operating Expenses (54.0%)	\$5,210,000
Town of Harrison Share of Budgeted WJWW Water Purchase Cost (54.0%)	\$5,260,000
Town of Harrison Water Fund Base Expenses	<u>\$1,600,000</u>
Total Town of Harrison Water Related Expenses	\$12,070,000

Revenues:

Town of Harrison Metered Water & Fee Revenue Base	\$10,250,000
Town of Harrison Share of WJWW Outside District & Wholesale Revenue Allocation (54.0%)	<u>\$1,760,000</u>
Total Town of Harrison Water Related Revenues Before Rate Increase	\$12,010,000

Excess / (Shortfall) in 2013 Before Water Rate Increase **(\$60,000)**

Revenue Effect of Proposed 6.5% Water Rate Increase in 2013 **\$260,000**

Income Generated in 2013 for Water Fund Reserve Contribution (Estimated Incremental Debt Service for Water Storage Tank Related Projects) **\$200,000**

July 18, 2013

2013 -- 221 -- a (continued)

Supervisor Belmont asked the Board if they wanted to go with the 6.5% increase.

Councilman Cannella said obviously this is an improvement over last year. It is the lowest increase since 2007.

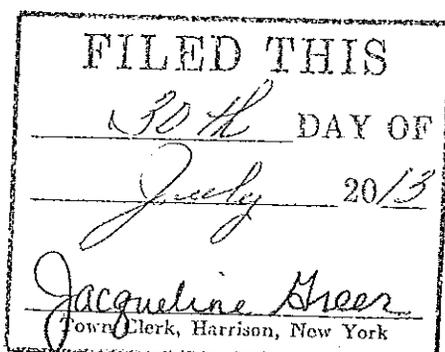
Councilman Malfitano said he would go along with the rate increase with the provision that should we have a better than average 2011 year that next year when you come before us that this Board gives serious thought and consideration to the surplus that gets generated this year when it sets its rates next year. In other words if we have a good year this year I would be in the mind set I would be looking to do something less than what the recommendation would be to cover the operating expenses.

Tony Cannaletta, Manager of the Westchester Joint Water Works said that he thinks in part that in 2012 we sold more water, purchased more water, used more water, than 2011, and helped the 6.5% rate increase be as low as it is.

Councilman Malfitano asked Comptroller MacKenzie where we are in terms of fund balance with respect to the water district.

Comptroller MacKenzie responded that at the end of 2012 we had \$266,000 and the year before we had a deficit of \$360,000. We have turned the corner.

With no one else speaking in favor or against the water rate increase and with all members in favor, the Hearing was closed.



Copies to:

- Assessor
- Benefits
- Bldg
- Compt'lr
- Engrng
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- Police
- P. Wrks
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- Supvs'r

July 18, 2013

2013 -- 221 -- b

APPROVAL FOR THE 6.5% RATE INCREASE FOR
WESTCHESTER JOINT WATER WORKS

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the 6.5% rate increase for Westchester Joint Water Works:

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Law Department and the Manager of WJWW.

Adopted by the following vote:

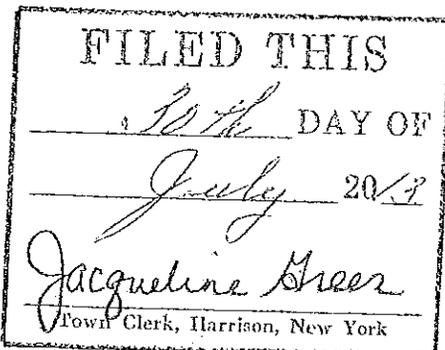
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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July 18, 2013

2013 -- 222

APPROVAL FOR THE ADDITIONS TO THE 2013 RECREATION/CAMP
AVAILABILITY LIST

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Personnel Manager Debra Scocchera for the following additions to the 2013 Recreation/Camp Availability List:

<u>NAME</u>	<u>HOURLY RATE</u>
Matthew Aracich	\$7.50
Michael Colangelo	\$8.00
Alaina DiDonato	\$8.50
Ann Marie Gentile	\$9.00
Sam Gioseffe	\$7.50
Jenny Perez	\$9.00
Michael Piccini	\$7.75
Susan Prati	\$9.00
Maura Scatenato	\$7.75
Anthony Sciandra	\$8.50

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

Adopted by the following vote:

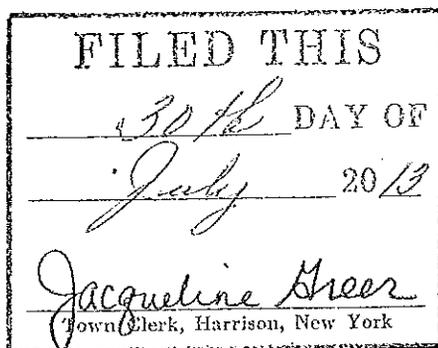
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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Assessor
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 Purch'g
 Reer'tn
 Supvs'r
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July 18, 2013

2013 - - 223

APPROVAL FOR THE APPOINTMENT OF SUSAN FRANZE
TO THE POSITION OF AN ALTERNATE CROSSING GUARD

On motion of Councilman Sciliano, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Chief of Police Anthony Marraccini for the appointment of Susan Franze of West Harrison, to the position of Alternate Crossing Guard at a rate of \$19.50 per hour, effective immediately.

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

Adopted by the following vote:

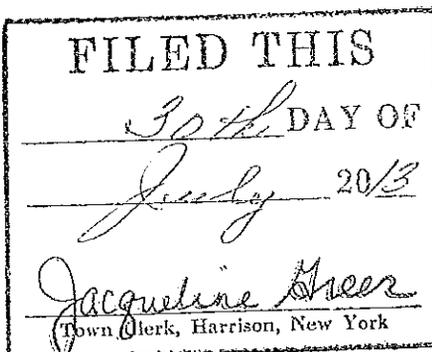
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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July 18, 2013

2013 - - 224

AUTHORIZATION FOR TOWN ENGINEER MICHAEL AMODEO AND
ASSISTANT ENGINEER FRANK BALBI TO ATTEND
THE NEW JERSEY ASSOCIATION OF FLOODPLAIN MANAGERS
ANNUAL CONFERENCE

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Town Engineer Michael Amodeo for himself and Assistant Engineer Frank Balbi to attend the New Jersey Association of Floodplain Managers Annual Conference from October 15 through October 17, 2013 in Atlantic City, New Jersey, at a cost not to exceed \$750 per person. This is a budgeted item.

FURTHER RESOLVED to authorize the use of a Town vehicle for transportation to the event.

FURTHER RESOLVED that attendance at this event will enable them to receive continuing education credits, which are a requirement of the Certified Floodplain Manager certification.

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

Adopted by the following vote:

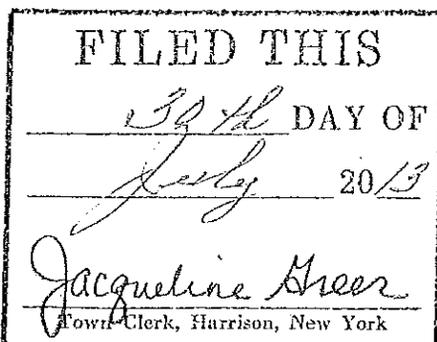
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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July 18, 2013

2013 -- 226

APPROVAL FOR A BUDGET TRANSFER FOR THE HARRISON LIBRARY

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for the following Budget transfer for the Library:

Increase:

002-7410-100-0406 2,000
Library-Travel and Conference

Decrease:

002-7410-100-0102 2,000
Library-Salaries

The following budget transfer is for the Library Director to attend The Planning and Design of Public Libraries summer program on July 29-31 at Harvard University. This was approved by the Library Board of Trustees at the Library Board on July 1.

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

Adopted by the following vote:

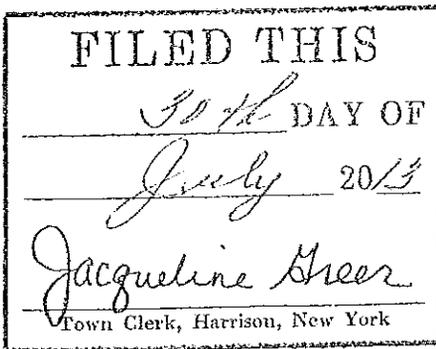
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
 Supervisor Belmont

NAYS: None

ABSENT: None

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July 18, 2013

2013 - - 227

APPROVAL TO RESCIND TBR#2012-422

Notification by Town Engineer Michael Amodeo that in 2010 as part of the Resurfacing Program, the Town resurfaced Pleasant Ridge Road. At the time the Supervisor applied for NYSDOT Multi Modal Funding in the amount of \$100,000 to help offset the cost of this project. During the same period, the Comptroller submitted for CHIPS funding through the NYSDOT. This funding also included reimbursement for the work performed on Pleasant Ridge Road. We were notified of the receipt of Multi Modal Funds in November 2012, a full 2 years after the Comptroller requested and received CHIPS funding for Pleasant Ridge Road. Needless to say, the NYSDOT cannot honor its agreement, as we have already received funding under another NYSDOT program.

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Town Engineer Michael Amodeo to rescind TBR #2012-422, dated December 20, 2012.

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

Adopted by the following vote:

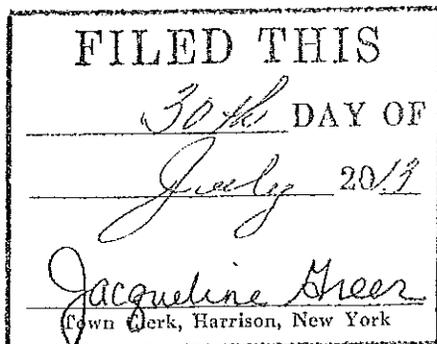
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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July 18, 2013

2013 -- 228

AUTHORIZATION FOR DIRECTOR OF COMMUNITY SERVICES
NINA MARRACCINI, TO ACCEPT DONATIONS
TOTALING \$2,700

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

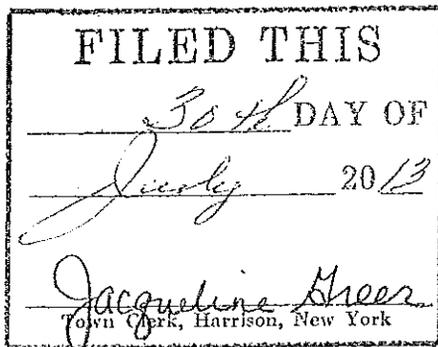
RESOLVED to approve the request of Director of Community Services Nina Marraccini for authorization to accept the following donations:

\$2,000	anonymous donor
\$500	anonymous donor
\$100	anonymous donor
\$100	Donald and Gabrielle McCree

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

Adopted by the following vote:

AYES:	Councilpersons Amelio, Cannella, Malfitano and Sciliano Supervisor Belmont
NAYS:	None
ABSENT:	None



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July 18, 2013

2013 - - 229

AUTHORIZATION FOR THE SUPERVISOR TO EXECUTE
THE STORMWATER AGREEMENT IN CONNECTION WITH THE
CONSTRUCTION OF A NEW OFFICE BUILDING AT
3030 WESTCHESTER AVENUE

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to authorize the Supervisor to execute the Stormwater Agreement in connection with the construction of a new office building at 3030 Westchester Avenue.

FURTHER RESOLVED that the Law Department has reviewed the Agreement and deems it acceptable.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer, the Supervisor and the Law Department.

Adopted by the following vote:

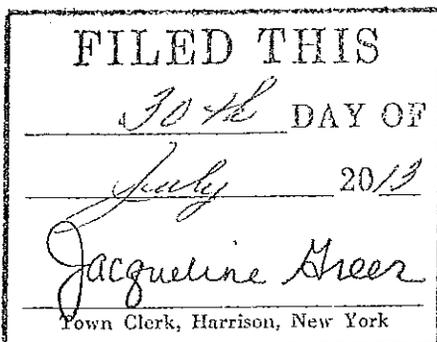
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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July 18, 2013

2013 -- 230 -- a

APPROVAL FOR A BUILDING PERMIT APPLICATION
107-109 CONGRESS STREET, BLOCK 388, LOT 34
WHICH IS LOCATED WITHIN FEMA DESIGNATED FLOOD PLAINS

On motion of Councilman Malfitano, seconded by Councilman Cannella,

it was

RESOLVED to approve a building permit application for 107-109 Congress Street, block 388, Lot 34, located with FEMA designated Flood Plains as follows:

"All plans for buildings built in flood areas as defined above shall be transmitted to the Town Engineer for a recommendation as to the minimum floor level of the building and the final grading of the property. Such recommendation must be confirmed by a resolution of the Town Board prior to the issuance of a building permit conforming to the recommendations".

Pursuant to Town Code, our recommendations for the development of this property are as follows:

1. The existing FEMA Flood Plain Elevation at this property is 63.75 feet (NGVD 1988), as shown on the FEMA Flood Insurance Study dated September 28, 2007.
2. The proposed First Floor Elevation shall be 70.0 feet as shown on site plans revised May 24, 2013, prepared by Stephen Marchesani, Architect.
3. The proposed Garage Floor Elevation shall be 61.0 feet as shown on site plans revised May 24, 2013, prepared by Stephen Marchesani, Architect.
4. As reflected in the above mentioned plan, there shall be no grade change permitted on this property.
5. An as-built survey from a New York State Licensed Surveyor will be required. The as-built shall include the flood plain elevation, and all floor elevations. As-built must also show compliance with Town building height regulation, as well as surface information verifying no grade change. This survey must be submitted to and approved by this department prior to issuance of a CO.
6. In order to verify the structure and all utilities have been built safely above the Base Flood Elevation, an Elevation Certificate must be submitted and approved by the Engineering Department prior to issuance of a Certificate of Occupancy.
7. Flood resistant materials must be used within all areas permitted below the Base Flood Elevation. All building materials and utilities below this level must be certified by the design professional upon completion of construction.
8. Enclosed areas within a Floodplain are designed to be flooded, and can be used only for parking vehicles, storage, or access to the elevated living area. A Non Conversion agreement must be submitted and signed by the property owner prior to issuance of a Certificate of Occupancy.
9. Curbs and sidewalks along the entire frontage of the property are to be replaced as per the Engineering Department.

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

Adopted by the following vote:

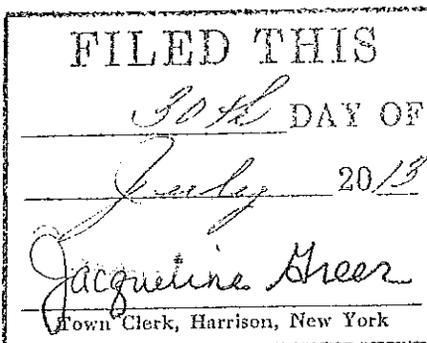
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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- Supvs'r



Town Clerk, Harrison, New York

July 18, 2013

2013 - - 230 - - b

APPROVAL FOR A BUILDING PERMIT APPLICATION
103-105 CONGRESS STREET, BLOCK 388, LOT 35
WHICH IS LOCATED WITHIN FEMA DESIGNATED FLOOD PLAINS

On motion of Councilman Malfitano, seconded by Councilman Cannella,

it was

RESOLVED to approve a building permit application for 103-105 Congress Street, block 388, Lot 35, located with FEMA designated Flood Plaines as follows:

"All plans for buildings built in flood areas as defined above shall be transmitted to the Town Engineer for a recommendation as to the minimum floor level of the building and the final grading of the property. Such recommendation must be confirmed by a resolution of the Town Board prior to the issuance of a building permit conforming to the recommendations".

Pursuant to Town Code, our recommendations for the development of this property are as follows:

1. The existing FEMA Flood Plain Elevation at this property is 63.75 feet (NGVD 1988), as shown on the FEMA Flood Insurance Study dated September 28, 2007.
2. The proposed First Floor Elevation shall be 70.5 feet as shown on site plans revised May 24, 2013, prepared by Stephen Marchesani, Architect.
3. The proposed Garage Floor Elevation shall be 61.5 feet as shown on site plans revised May 24, 2013, prepared by Stephen Marchesani, Architect.
4. As reflected in the above mentioned plan, there shall be no grade change permitted on this property.
5. An as-built survey from a New York State Licensed Surveyor will be required. The as-built shall include the flood plain elevation, and all floor elevations. As-built must also show compliance with Town building height regulations, as well as surface information verifying no grade change. This survey must be submitted to and approved by this department prior to issuance of a CO.
6. In order to verify the structure and all utilities have been built safely above the Base Flood Elevation, an Elevation Certificate must be submitted and approved by the Engineering Department prior to issuance of a Certificate of Occupancy.
7. Flood resistant materials must be used within all areas permitted below the Base Flood Elevation. All building materials and utilities below this level must be certified by the design professional upon completion of construction.
8. Enclosed areas within a Floodplain are designed to be flooded, and can be used only for parking vehicles, storage, or access to the elevated living area. A Non Conversion agreement must be submitted and signed by the property owner prior to issuance of a Certificate of Occupancy.
9. Curbs and sidewalks along the entire frontage of the property are to be replaced as per the Engineering Department.

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

Adopted by the following vote:

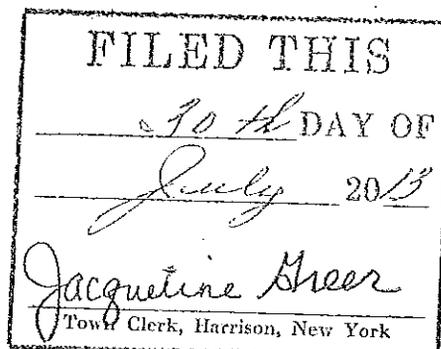
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 -- 230 -- c

APPROVAL FOR A BUILDING PERMIT APPLICATION
76-78 TEMPLE STREET, BLOCK 424, LOT 30
WHICH IS LOCATED WITHIN FEMA DESIGNATED FLOOD PLAINS

On motion of Councilman Malfitano, seconded by Councilman Cannella,

it was

RESOLVED to approve a building permit application for 76-78 Temple Street, block 424, Lot 30, located with FEMA designated Flood Plaines as follows:

"All plans for buildings built in flood areas as defined above shall be transmitted to the Town Engineer for a recommendation as to the minimum floor level of the building and the final grading of the property. Such recommendation must be confirmed by a resolution of the Town Board prior to the issuance of a building permit conforming to the recommendations".

Pursuant to Town Code, our recommendations for the development of this property are as follows:

1. The existing FEMA Flood Plain Elevation at this property is 64.25 feet (NGVD 1988), as shown on the FEMA Flood Insurance Study dated September 28, 2007.
2. The proposed First Floor Elevation shall be 73.6 feet as shown on site plans revised May 27, 2013, prepared by George Mottarella, P.E.
3. The proposed Garage Floor Elevation shall be 64.6 feet as shown on site plans revised May 27, 2013, prepared by George Mottarella, P.E.
4. As reflected in the above mentioned plan, there shall be no grade change permitted on this property.
5. An as-built survey from a New York State Licensed Surveyor will be required. The as-built shall include the flood plain elevation, and all floor elevations. As-built must also show compliance with Town building height regulations, as well as surface information verifying no grade change. This survey must be submitted to and approved by this department prior to issuance of a CO.
6. In order to verify the structure and all utilities have been built safely above the Base Flood Elevation, an Elevation Certificate must be submitted and approved by the Engineering Department prior to issuance of a Certificate of Occupancy.
7. Flood resistant materials must be used within all areas permitted below the Base Flood Elevation. All building materials and utilities below this level must be certified by the design professional upon completion of construction.
8. Enclosed areas within a Floodplain are designed to be flooded, and can be used only for parking vehicles, storage, or access to the elevated living area. A Non Conversion agreement must be submitted and signed by the property owner prior to issuance of a Certificate of Occupancy.
9. Curbs and sidewalks along the entire frontage of the property are to be replaced as per the Engineering Department.

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

Adopted by the following vote:

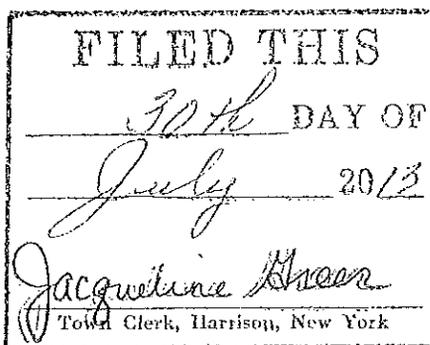
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 -- 230 -- d

APPROVAL FOR A BUILDING PERMIT APPLICATION
80-82 TEMPLE STREET, BLOCK 424, LOT 32
WHICH IS LOCATED WITHIN FEMA DESIGNATED FLOOD PLAINS

On motion of Councilman Malfitano, seconded by Councilman Cannella,

it was

RESOLVED to approve a building permit application for 80-82 Temple Street, block 424, Lot 32, located with FEMA designated Flood Plains as follows:

"All plans for buildings built in flood areas as defined above shall be transmitted to the Town Engineer for a recommendation as to the minimum floor level of the building and the final grading of the property. Such recommendation must be confirmed by a resolution of the Town Board prior to the issuance of a building permit conforming to the recommendations".

Pursuant to Town Code, our recommendations for the development of this property are as follows:

1. The existing FEMA Flood Plain Elevation at this property is 64.25 feet (NGVD 1988), as shown on the FEMA Flood Insurance Study dated September 28, 2007.
2. The proposed First Floor Elevation shall be 73.25 feet as shown on site plans revised May 27, 2013, prepared by George Mottarella, P.E.
3. The proposed Garage Floor Elevation shall be 64.25 feet as shown on site plans revised May 27, 2013, prepared by George Mottarella, P.E.
4. As reflected in the above mentioned plan, there shall be no grade change permitted on this property.
5. An as-built survey from a New York State Licensed Surveyor will be required. The as-built shall include the flood plain elevation, and all floor elevations. As-built must also show compliance with Town building height regulations, as well as surface information verifying no grade change. This survey must be submitted to and approved by this department prior to issuance of a CO.
6. In order to verify the structure and all utilities have been built safely above the Base Flood Elevation, an Elevation Certificate must be submitted and approved by the Engineering Department prior to issuance of a Certificate of Occupancy.
7. Flood resistant materials must be used within all areas permitted below the Base Flood Elevation. All building materials and utilities below this level must be certified by the design professional upon completion of construction.
8. Enclosed areas within a Floodplain are designed to be flooded, and can be used only for parking vehicles, storage, or access to the elevated living area. A Non Conversion agreement must be submitted and signed by the property owner prior to issuance of a Certificate of Occupancy.
9. Curbs and sidewalks along the entire frontage of the property are to be replaced as per the Engineering Department.

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

Adopted by the following vote:

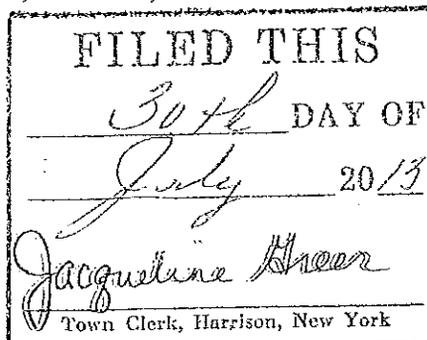
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 - - 231

AUTHORIZATION FOR TOWN CLERK JACQUELINE GREER
TO ESTABLISH AN E-Z PASS "ON-THE-GO" SALES CENTER
FOR THE TOWN OF HARRISON

Town Clerk Jackie Greer explained that she has been working with the New York State Thruway Authority to establish an E-Z Pass "On-the-Go" program. This would allow residents to come to the Clerk's office and purchase an E-Z pass tag for \$25. This is another great service that the Clerk's office can offer to residents.

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED that the Harrison Town Board hereby authorizes the Town Clerk to sell E-Z passes in the Clerk's office provided all legal requirements are complied with.

FURTHER RESOLVED to authorize \$525 for the purchase of the first 25 passes.

FURTHER RESOLVED to authorize the Town Clerk to sign an agreement with the New York State Thruway Authority after review by the Law Department.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Clerk, the Law Department, the Comptroller and New York State Thruway Authority.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

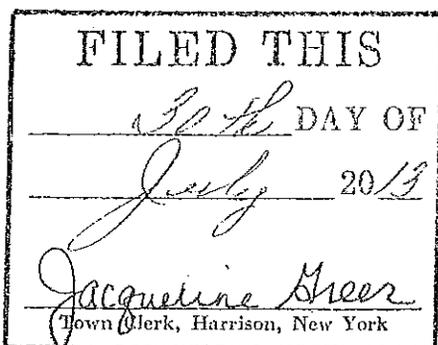
NAYS: None

ABSENT: None

Copies to:

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

M. P. S. Thruway Authority



July 18, 2013

2013 -- 232

AUTHORIZATION FOR COMPTROLLER MAUREEN MACKENZIE
TO ACCEPT DONATIONS FOR THE JULY 4TH FIREWORKS

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to authorize Comptroller Maureen MacKenzie to accept the following donations for the July 4th Fireworks:

\$500	Harrison PBA
\$100	Leonard & Nancy Masi

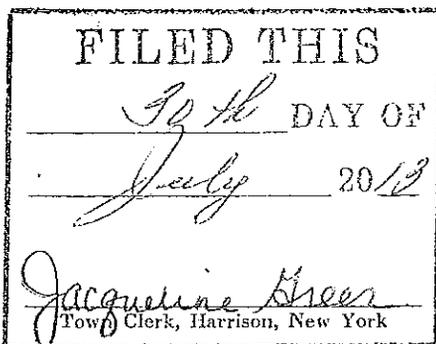
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Superintendent of Recreation.

Adopted by the following vote:

AYES:	Councilpersons Amelio, Cannella, Malfitano and Sciliano Supervisor Belmont
NAYS:	None
ABSENT:	None

Copies to:

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



July 18, 2013

2013 -- 233

AUTHORIZATION FOR COMPTROLLER MAUREEN MACKENZIE
TO PAY THE INCREASE IN THE ANNUAL LICENSES FEE
FOR THE BMI-MUSIC LICENSE AGREEMENT FOR 2013

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Deputy Town Attorney Fred Castiglia for authorization for Comptroller Maureen MacKenzie to pay the increase in the annual license fee for BMI-License Agreement for 2013, from \$320 to \$327.

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

Adopted by the following vote:

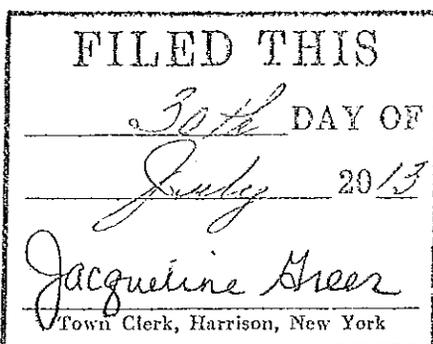
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 - - 234

AUTHORIZATION FOR SUPERVISOR RON BELMONT TO
ACCEPT FURNITURE FOR THE TOWN'S OFFICES FROM MASTERCARD

On motion of Councilman Malfitano, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Supervisor Ron Belmont for authorization to accept the following furniture for the Town Offices from Mastercard:

Desks; display cases; file cabinets; tables and chairs.

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

Adopted by the following vote:

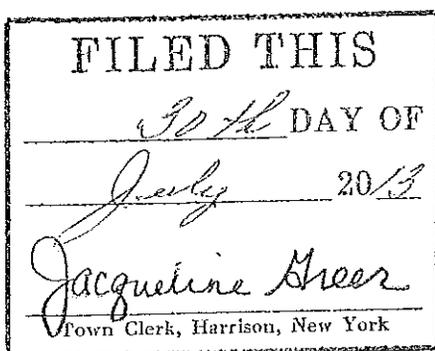
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 -- 235

APPROVAL FOR THE HARRISON POLICE DEPARTMENT TO HOST A BALLISTIC
ACRYLIC SHEETING PRODUCT SAMPLE TEST ON JULY 24, 2013

On a motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request of Chief of Police Anthony Marraccini for authorization for the Harrison Police Department to host a Ballistic Acrylic Sheeting Product Sample Test to be held on July 24, 2013, at the Nike Range Training Facility, 100 Park Lane, West Harrison, NY.

FURTHER RESOLVED to approve the request for the Harrison Police Department to accept product donations from the manufacturer.

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

Adopted by the following vote:

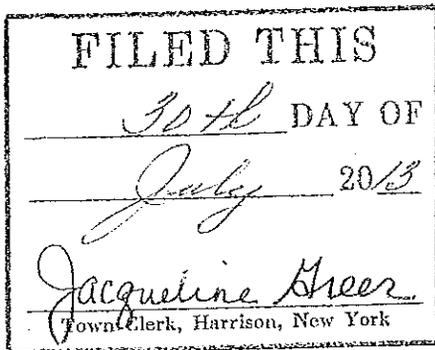
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 -- 236

NOTIFICATION FROM THE HALPERIN FOUNDATION THAT JARDEN CORP. HAS
PLEGGED \$100,000 IN THE FORM OF A MATCHING CHALLENGE AND
AUTHORIZATION FOR THE FOUNDATION TO GRANT INTERIOR NAMING RIGHTS
TO SECTIONS OF THE LIBRARY

Town Attorney Frank Allegretti said that the actual motion is to approve the request of the naming of the lower level teen center subject to the receipt of the donation.

On a motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED that notification was received by Ross Halperin of the Halperin Foundation that Jarden Corporation has pledged \$100,000 to the Harrison Public Library Foundation in the form of a matching challenge, whereby Jarden will contribute \$1 for every \$2 contributed by the local corporate community up to \$100,000 and also committed to helping the Foundation reach out to other local companies to raise this money.

FURTHER RESOLVED that the Foundation, upon receipt of Jarden's gift, prior to construction start of June 2014, rename the lower level teen center "*Marmot Teen Center*" which will be recognized with a sign at the entrance to the facility.

FURTHER RESOLVED that this request of renaming the teen center is subject to receipt of the donation.

FURTHER RESOLVED to forward a copy of this Resolution to Mr. Ross Halperin.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

Assessor

Benefits

Bldg

Compt'lr

Engrng

Law

Police

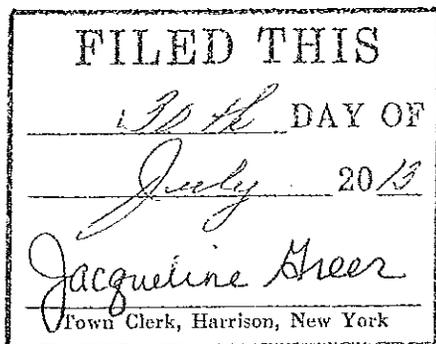
P. Wrks

Purch'g

Recr'tn

Supvs'r

Mr. Ross Halperin



July 18, 2013

2013 -- 237

APPROVAL FOR P.O. ANTONY SALOV AND K9 VON,
P.O. ERIN HINCHEY AND K9 BENI AND SGT. EDWARD DETLEFS
TO ATTEND THE ANNUAL WEEK OF IN-SERVICE TRAINING IN BLACKLICK, OHIO

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Chief of Police Anthony Marraccini for authorization for P.O. Antony Salov and K9 Von, P.O. Erin Hinchey and K9 Beni and Sgt. Edward Detlefs to attend the annual week of In-Service K-9 Training in Blacklick, Ohio, from September 9, 2013 through September 13, 2013, at a cost, including travel expenses, not to exceed \$4,650.

FURTHER RESOLVED that this is a budget item with funding available in account line #001-3120-100-0471.

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

Adopted by the following vote:

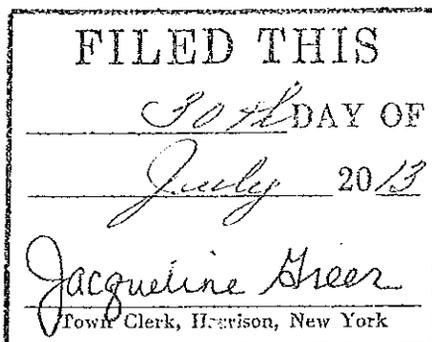
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 - - 238

APPROVAL FOR CHIEF OF POLICE ANTHONY MARRACCINI
TO ACCEPT TWO CONDITION "A"
UPARMORED MILITARY HMMW WITH A COST OF \$3,200
TO TRANSPORT VEHICLES TO HARRISON

Chief Marraccini said we are part of a program where we are able to obtain surplus equipment from the government.

Councilman Sciliano asked the Chief what "condition A" is?

Chief Marraccini said "condition A" is one of the best ratings that the government gives to surplus vehicles. It means it is in the best condition that they offer. We are getting more involved in this program. We are looking at securing roughly \$150,000 in computer equipment in the near future.

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve request of Chief of Police Anthony Marraccini to accept, at no cost to the town, two condition "A" uparmored military hmw. The vehicles are located in Jacksonville, Florida.

FURTHER RESOLVED to approve \$3,200 to transport the vehicles to Harrison.

FURTHER RESOLVED that funding is available in account #001-3120-100-0407.

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

Adopted by the following vote:

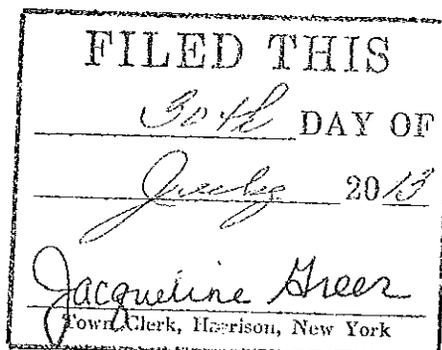
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 -- 239

AUTHORIZATION FOR A PROFESSIONAL SERVICES CONTRACT
WITH ERM CONSULTING AND ENGINEERING, INC.,
FOR TECHNICAL ASSISTANCE IN THE EVALUATION OF POTENTIAL
ENVIRONMENT IMPACTS TO PROPERTY BEING CONSIDERED FOR USE AS PART OF
THE TOWN'S FLOOD CONTROL PROJECT

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Town Engineer Michael Amodio for authorization for a professional services contract with ERM Consulting and Engineering, Inc., for technical assistance in the evaluation of potential environment impacts to property being considered for use as part of the Town's flood control project, at a cost not to exceed \$16,500.

FURTHER RESOLVED for the Law Department to review the proposal and upon review, the Supervisor to execute same.

FURTHER RESOLVED for the Purchasing Department to issue a Purchase Order to ERM Consulting and Engineering, Inc., in the amount of \$16,500.

FURTHER RESOLVED that funding is available in the Engineering Department Operating Budget, account #001-1440-100-0407.

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

Adopted by the following vote:

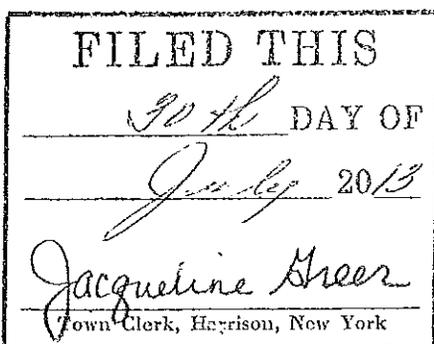
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 -- 240

MATTERS FOR EXECUTIVE SESSION:

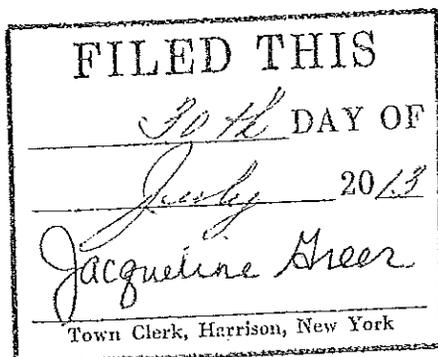
Personnel	2
Litigation	1
Settlement of Claim	1
Tax Certiorari	1
Investigative	1
Contract	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 8:19 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 11:03 PM.

Copies to:

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



July 18, 2013

2013 -- 241

APPROVAL TO CHANGE THE HIRING DATE FOR MIS CONSULTANT HUGO RUBIO
FROM JULY 8, 2013 TO JUNE 12, 2013

On motion of Supervisor Belmont, seconded by Councilwoman Amelio,

it was

RESOLVED to change the hiring date for MIS Consultant Hugo Rubio from July 8, 2013 to June 12, 2013.

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

Adopted by the following vote:

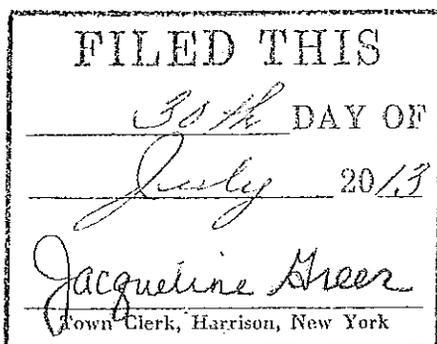
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 - - 242

SETTLEMENT OF CLAIM IN THE MATTER
OF CALO v TOWN OF HARRISON

On a motion of Supervisor Belmont, seconded by Councilman Malfitano,

it was

RESOLVED to settle the claim in the matter of Calo v Town of Harrison, in the amount of \$1,613.26.

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

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

Adopted by the following vote:

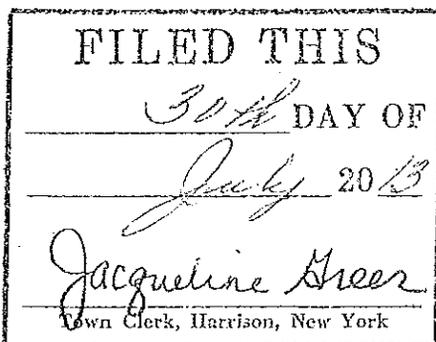
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 -- 243

APPROVAL TO SETTLE THE TAX CERTIORARI
IN THE MATTER OF B. FORTUNA HOLDING
279-281 HALSTEAD AVENUE
BLOCK 133, LOT 2

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to settle the tax certiorari in the matter of B. Fortuna Holding, 279-281 Halstead Avenue, Block 133, Lot 2 as follows:

<u>ASSESSMENT</u> <u>YEAR</u>	<u>ASSESSED</u> <u>VALUE</u>	<u>REDUCTION</u>	<u>REDUCED</u> <u>ASSESSED VALUE</u>
2006	20,000	5,000	15,000
2007	15,500	1,500	14,000
2008	15,500	1,500	14,000
2009	14,000	1,000	13,000
2010	14,000	1,000	13,000
2011	14,000	1,000	13,000
2012	14,000	1,000	13,000
2013	14,000	1,000	13,000

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

Adopted by the following vote:

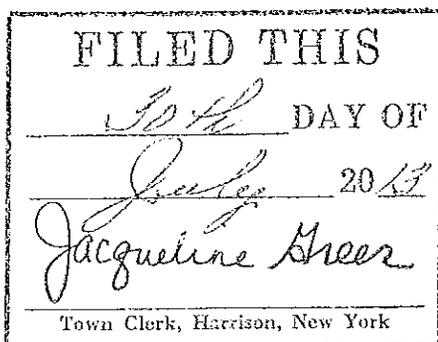
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 - - 244

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES
IN THE MATTER OF RUSSEL vs. TOWN OF HARRISON

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

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

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

Adopted by the following vote:

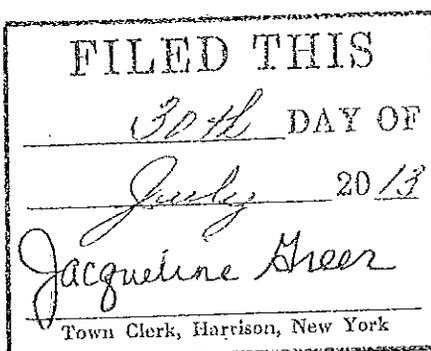
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



July 18, 2013

2013 -- 245

AUTHORIZATION HIRE CONSULTANT MICHAEL GISMONDI
IN THE BUILDING DEPARTMENT EFFECTIVE MAY 28, 2013

On motion of Councilman Sciliano, seconded by Supervisor Belmont,

it was

RESOLVED to hire consultant Michael Gismondi in the Building Department, at a rate of \$75 per hour, effective May 28, 2013.

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

Adopted by the following vote:

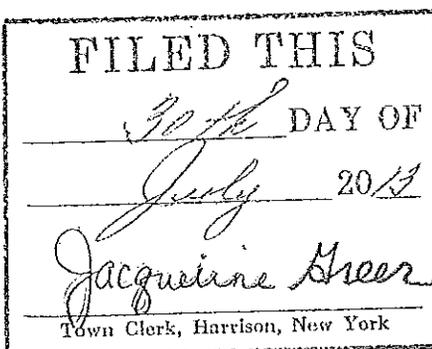
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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



This Resolution was tabled and voted on after executive session.

July 18, 2013

2013 - - 246

AUTHORIZATION TO CHANGE THE ORIGINAL ESTIMATED EXPENDITURE FOR
THE NEW YORK STATE SNOW AND ICE AGREEMENT – AMENDMENT B
FOR 2012/2013

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Deputy Village Attorney Christopher Cipolla for authorization to change the original estimated expenditure for the New York State Snow and Ice Agreement – Amendment B of \$35,565.20 to include the Index Agreement of \$19,062.95, totaling \$54,628.15 for the 2012/2013 snow and ice season.

FURTHER RESOLVED that the Commissioner of Public Works has reviewed and approved the change.

FURTHER RESOLVED that the Supervisor is authorized to sign Amendment B of the New York State Snow and Ice Agreement.

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

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

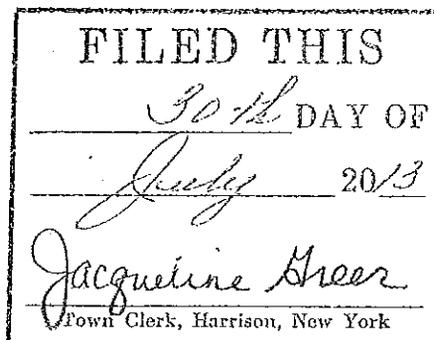
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 11:03 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk



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