

September 20, 2012

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, September 20, 2012 at 7:30 PM. Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont Supervisor

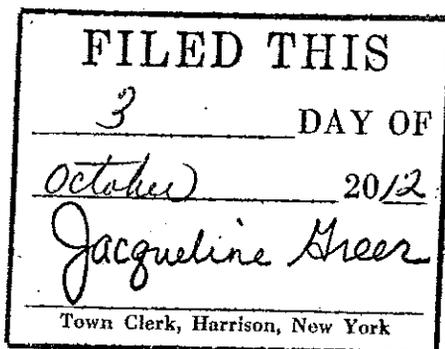
Marlane Amelio)
Joseph Cannella) Councilpersons
Stephen Malfitano)
Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney
Jonathan Kraut Village Attorney
Christopher Cipolla Deputy Village Attorney
Maureen MacKenzie Comptroller
Anthony Marraccini Chief of Police

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September 20, 2012

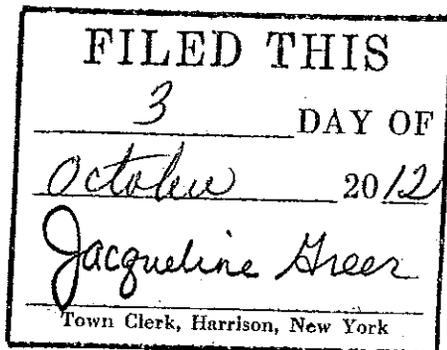
2012 -- 320

PRESENTATION OF CERTIFICATES OF ACHIEVEMENT
BY SUPERVISOR RON BELMONT TO
THE 2012 WEST HARRISON JUNIOR FIREFIGHTERS FOR
THEIR PARTICIPATION AND TRAINING AS JUNIOR FIREFIGHTERS

Supervisor Belmont lauded the West Harrison Fire Department Junior Volunteer Firefighters program. In existence since July 2011, they have already participated in a firefighting competition and a parade this summer.

Supervisor Belmont presented certificates to the following West Harrison Junior Volunteer Firefighters for their achievements: Matt Mancini, Mike Pellegrino III, Mario Barbagallo, Thomas Alvarado, Phillip Buffone, Joe Jiminez, Gianfranco D'emilio, Muhammad Ahmed, John Markowitz Jr., Ross Cowan, Ian Vela. Supervisor Belmont welcomed three new Junior Volunteers to the department: Angelo Passafarro, Alan Lombardo and Doug Harrison. Supervisor Belmont thanked Rocco Umbro who has acted as their mentor, their coach and their drill sergeant. The Supervisor noted all the time and effort put into the program by Mr. Umbro.

Councilman Sciliano commented that as an ex-chief and being a member of the department he would like to congratulate these young guys. There are many "old" guys like me now that started out as Junior's and they became really good fireman in our department. It is so important for volunteerism and to help West Harrison and our neighboring communities and I think it is a great thing that you are doing; hats off to Rocco Umbro.



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September 20, 2012

2012 -- 321

APPROVAL FOR THE CORRESPONDENCE AND REPORTS

On motion of Councilman Malfitano, seconded by Councilman Sciliano,

it was

RESOLVED to approve the following correspondence and reports:

- 1a. Monthly report by the Superintendent of Recreation for August 2012.
- 1b. Monthly report by the Town Clerk for August 2012
- 1c. Monthly report by the Acting Fire Marshal for August 2012
- 1d. Monthly report by the Receiver of Taxes for August 2012.
- 1e. Monthly report by the Building Inspector for August 2012.

- 2. Letter from Harrison resident complimenting Director of Community Services Nina Marraccini.

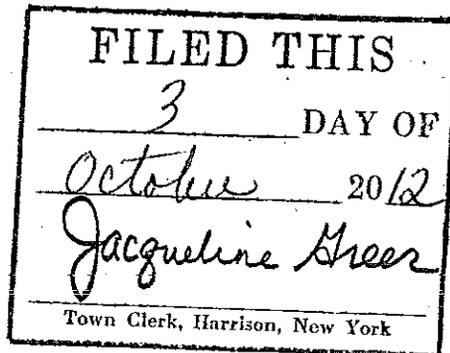
- 3. Notification by Superintendent of Recreation Gerry Salvo that it is an honor and a pleasure to announce this year's "Citizen of the Year" as Nick Galasso. Mr. Galasso is a lifelong resident of Harrison and a wonderful role model for our residents. His many years of service to the children of Harrison and continuous commitment to the sports program make him an honorable citizen which the town can be proud of. The official presentation will be made at the It's Great to Live in Harrison Celebration/Columbus Day observance on Monday, October 8, 2012.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 20, 2012

2012 -- 322 -- a

PUBLIC HEARING – RE: SPECIAL EXCEPTION USE PERMIT
FOR MATERIAL STORAGE ON
THE GROUNDS OF OLD OAKS COUNTRY CLUB

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

Robert Stanziale, Architect, representing Old Oaks Country Club spoke on the Special Exception Use Permit Application. This is a modification to the maintenance building plan that was approved by the board some years ago. The building has been completed. What we are seeking to do is install storage bins on the opposite side of the maintenance building, close to the existing parking lot, and also eliminate two of the bins that were initially approved on the previous site plan. We met with some of the adjoining neighbors, who were initially concerned with this, and showed them the plans and they don't have any issues with this. We agreed to work with them on the landscaping.

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

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-

FILED THIS
3 DAY OF
October 2012
Jacqueline Greer
 Town Clerk, Harrison, New York

September 20, 2012

2012 -- 322 -- b

APPROVAL FOR A SPECIAL EXCEPTION USE PERMIT
FOR MATERIAL STORAGE BINS ON
THE GROUNDS OF OLD OAKS COUNTRY CLUB

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Architect Robert Stanziale, on behalf of his client Old Oaks Country Club for a Special Exception Use Permit for material storage bins on the grounds of Old Oaks Country Club.

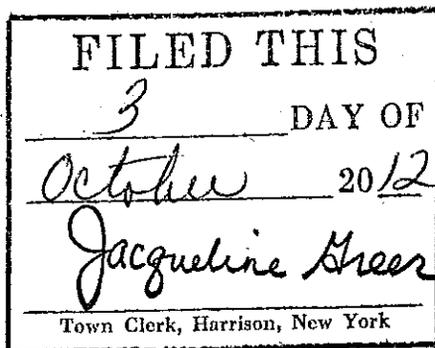
FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector, the Commissioner of Public Works and the Town Engineer.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 20, 2012

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APPROVAL FOR ADDITIONS TO THE RECREATION
PART TIME AVAILABILITY LIST

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to approve the request of Superintendent of Recreation Gerry Salvo for the following additions to the Recreation Part Time Availability List:

<u>NAME</u>	<u>HOURLY RATE</u>
Elizabeth Linsalato	9.50
Daniel Wolfe	10.00

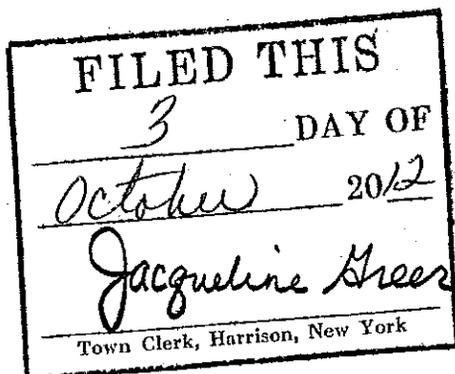
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Superintendent of Recreation.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 20, 2012

2012 -- 324

APPROVAL FOR BUDGET MODIFICATIONS

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the following Budget Modifications:

Increase:
001-0000-030-3018 . \$16,173
Town-State Aid-Miscellaneous State Aid

Increase:
001-0000-040-4091 \$48,518
Town-Federal Aid-Miscellaneous Federal Aid

Total: \$64,691

Increase:
001-3120-100-0120 \$45,151
Police Over-time

Increase:
001-3120-100-0402 \$14,524
Police-Equipment Maintenance and Repairs

Increase:
001-1440-100-0120 \$5,016
Engineer-Over time

Total: \$64,691

Increase:
003-0000-030-3018 \$62,337
Highway-State Aid Miscellaneous State Aid

Increase:
003-0000-040-4091 \$187,010
Highway-Federal Aid-Miscellaneous Federal Aid

Total: \$249,347

2012 -- 324 continued

Increase:

003-5110-100-0120 Highway Roads-Over Time \$63,856

Increase:

003-5130-100-0402 Highway Machinery-Equipment Maintenance and Repairs \$163,784

Increase:

03-5110-100-488 Highway Roads-Nike/DOT Leaf Removal \$21,707

Total: \$249,347

Monies received from FEMA for Hurricane Irene and its Effects, occurring August 2011.

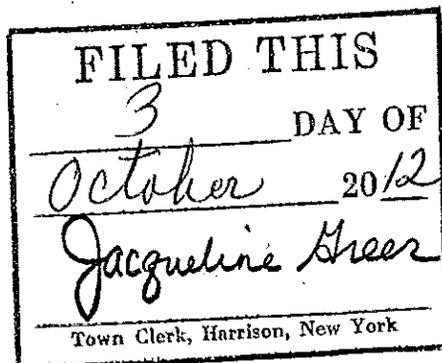
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 20, 2012

2012 -- 325

APPROVAL FOR TOWN CLERK JACQUELINE GREER TO ATTEND
A GRANT WRITING USA CLASS IN RIDGEFIELD, CT.,
ON OCTOBER 1 & 2, 2012

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve Town Clerk Jacqueline Greer to attend a Grant Writing USA class in Ridgefield, Ct., on October 1 & 2, 2012 at a cost not to exceed \$475.

FURTHER RESOLVED that funding is available in Town Clerk Account #001-1410-100-0415.

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

Adopted by the following vote:

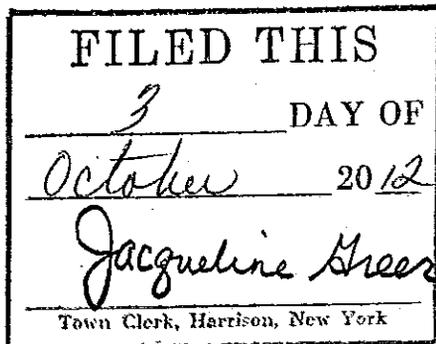
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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- Supvs'r



September 20, 2012

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APPROVAL FOR SENIOR OFFICE ASSISTANT SUZANNE FULLER TO ATTEND
A GRANT WRITING USA CLASS IN RIDGEFIELD, CT.,
ON OCTOBER 1 & 2, 2012

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve Senior Office Assistant Suzanne Fuller to attend a Grant Writing USA class in Ridgefield, Ct., on October 1 & 2, 2012 at a cost not to exceed \$475.

FURTHER RESOLVED that funding is available in Account #001-3620-100-0415.

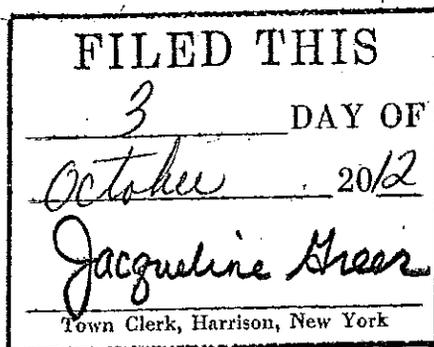
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Purchasing Department and the Building Inspector.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 20, 2012

2012 -- 327

ADJOURNED TO EXECUTIVE SESSION:
REQUEST BY SUPERVISOR BELMONT TO DISCUSS, EVALUATE
AND HIRE AN ORGANIZATION FOR THE TOWN'S PEER STUDY

The matter was adjourned to executive session.

FILED THIS
3 DAY OF
October 2012
Jacqueline Greer
Town Clerk, Harrison, New York

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September 20, 2012

2012 - - 328

ADJOURNED TO EXECUTIVE SESSION FOR ADVICE OF COUNSEL:
REQUEST BY CHIEF OF POLICE TO GRANT NEW YORK STATE PEACE
OFFICER POWERS TO CIVILIAN TOWN COURT SECURITY PERSONNEL -
RETIRED POLICE OFFICERS CARL NARVESEN AND ROBERT HASSETT
TO CARRY FIREARMS IN PERFORMANCE OF THE SPECIAL DUTIES
OF TOWN COURT SECURITY

The matter was adjourned to executive session for advice of counsel.

FILED THIS
3 DAY OF
October 2012
Jacqueline Greer
Town Clerk, Harrison, New York

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September 20, 2012

2012 -- 329

APPROVAL FOR FRANK BALBI TO ATTEND A SEMINAR
"STRUCTURAL FORENSIC ENGINEERING"
ON SEPTEMBER 27, 2012 IN NANUET, NY.

On motion of Councilman Cannella, seconded by Trustee Amelio,

it was

RESOLVED to approve the request of Town Engineer Michael Amodeo for authorization for Frank Balbi, Jr. to attend a seminar "Structural Forensic Engineering" on September 27, 2012 in Nanuet, NY, at a cost of \$259.

FURTHER RESOLVED that this is a budgeted item.

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

Adopted by the following vote:

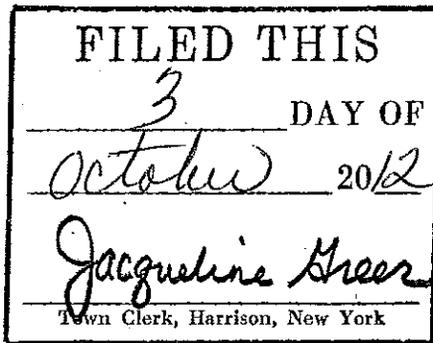
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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September 20, 2012

2012 --330

APPROVAL TO SET THE DATE OF OCTOBER 4, 2012 FOR A PUBLIC HEARING
RE: FRANCHISE AGREEMENT BETWEEN THE TOWN OF HARRISON
AND LIFE TIME FITNESS

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,
it was

RESOLVED to approve the request of Attorney Frank McCullough on behalf of his client Life Time Fitness to set the date of October 4, 2012 for a Public Hearing for a Franchise Agreement between the Town of Harrison and Life Time Fitness for a new monument sign at the end of Gannett Drive, as well as related lighting, utilities and landscaping improvements located within the right-of-way of Gannett Drive, which is a Town Road.

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

Adopted by the following vote:

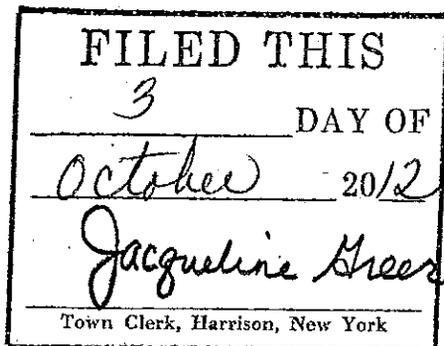
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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September 20, 2012

2012 -- 331

APPROVAL FOR THE TOWN'S ACCEPTANCE OF THE LICENSE FEE
FOR BONANZA PRODUCTIONS TO FILM AT
THE HARRISON POLICE DEPARTMENT

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request of Village Attorney Jonathan Kraut for the Town's acceptance of the License Fee in the amount of \$5,000 for Bonanza Productions to film at the Harrison Police Department.

FURTHER RESOLVED that the \$5,000 be earmarked for equipment for the Police Department.

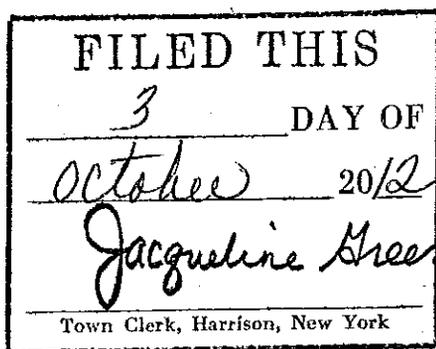
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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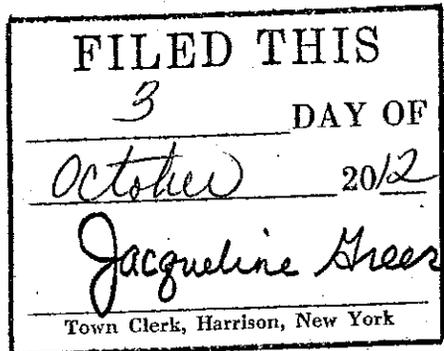
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September 20, 2012

2012 -- 332

TABLED UNTIL A LATER MEETING:
REQUEST BY COMPTROLLER MAUREEN MACKENZIE FOR AUTHORIZATION
TO ACCEPT A CHECK IN THE AMOUNT OF \$3,483 DONATED BY THE
FRIENDS OF MICHAEL FALKENSTERN WITH THE FUNDS HELD IN A
SEPARATE TRUST AND AGENCY ACCOUNT SET UP BY THE COMPTROLLER

The matter was tabled until a later meeting.



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September 20, 2012

2012 -- 333

MATTERS FOR EXECUTIVE SESSION:

Personnel	4
Litigation	2
Investigation	1

FILED THIS	
3	DAY OF
October	20/12
<i>Jacqueline Greer</i>	
Town Clerk, Harrison, New York	

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September 20, 2012

2012 - - 334

APPROVAL TO ESTABLISH THE TOWN/VILLAGE OF HARRISON
AS LEAD AGENCY FOR THE PURPOSES OF UPDATING
THE TOWN'S MASTER PLAN

On motion of Councilman Cannella, seconded by Councilperson Amelio,

it was

RESOLVED to approve the request by Supervisor Belmont to establish the Town/Village of Harrison as Lead Agency in accordance with the requirements of Article 8 of New York State Environmental Conservation Law, for the purposes of updating the Town's Master Plan.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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FILED THIS
 3 DAY OF
 October 2012
 Jacqueline Greer
 Town Clerk, Harrison, New York

September 20, 2012

2012 -- 335

REMARKS BY RESIDENT EMIL TOSO
RE: THE MASTER PLAN

Harrison resident Emil Toso said he was very concerned about the proposed B zoning change that would change the 5,000 square feet requirement to 6,000 square feet requirement for a two family dwelling.

Supervisor Belmont said no one is doing anything. It has come to our attention that there were some problems with the B zone. Several suggestions have come up with how to address the B zone. There are four suggestions on the table now and they are just suggestions.

Councilman Sciliano said that there is a misunderstanding out there with the public. We didn't vote on anything, we didn't change the zoning.

Harrison resident Emil Toso said if you go back to the Harrison Report dated August 31, 2012 there are three proposals and the first one says "new two family houses warrant a special permit requiring 6,000 square feet as of the date of adoption of the new plan.

Supervisor Belmont said they were just suggestions. Before anything can be done on this current proposal, as well as any zone changes, there will be public hearings and time to comment.

Councilwoman Amelio said it is a suggestion in the proposed Master Plan Draft.

Harrison resident Emil Toso said he realized that it was proposed. He said it seems like you are really promoting it and you wouldn't propose it, if in fact, you didn't have an agreement that you were going to go forth.

Supervisor Belmont said let me clarify that. There are four proposals on the table. How could you say we suggest one or the other? We didn't suggest any of them. This is about having open Government and letting the people of this town know what is going on.

Harrison resident Emil Toso said that you, Supervisor Belmont, wrote in the Harrison Rising that the B zone was created after WWII to offer affordable accommodations for returning soldiers and their families. This sounds like it was temporary housing that was offered to the soldiers and it is time to phase it out.

September 20, 2012

2012 -- 335 continued

Supervisor Belmont said I thank you for your comments and when we have our Public Hearings we will be more than happy to hear what you have to say.

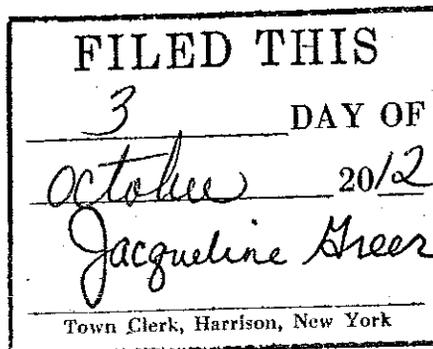
Councilman Cannella said we didn't really anticipate a discussion on the Master Plan and while we were off camera the question of Lead Agency, with respect to the Master Plan, came up and was not televised. I made the motion that the Town Board appoints itself as the Lead Agency for purposes of the SEQRA review. It passed unanimously. I would like to go over what the Master Plan process is. We started with a Master Plan that was drafted in 2007 and it wasn't adopted; it just sat for various reasons. What is happening now is it is being updated. The Board was given a presentation. The Board had nothing to do, whatsoever, with what's in there. It is a combination of the consultants, discussions with people in the townhouse (building inspector) and other people. All it is, is a draft and it's in a rough form. As this thing evolves, what ends up being in the plan is subject to public hearings.

Councilman Malfitano said that having the newspapers report on this is a good thing. It is intended to generate public awareness specifically with respect to the B zone, where there are a whole host of issues. There are people on both sides of the issue whether this should be a continuation of an expansion or whether there should be some restrictions. This Board has made no decisions whatsoever. We have had suggestions brought to us by our planning consultant and our building inspector and by our town planner. We have had suggestions brought to us by various members of the community and they are wide ranging. The whole purpose of this is to generate thought and perspective and to craft something finally in a Master Plan that is fitting and in the best interest of the community based on the community's wishes and desires. That is what we are attempting to do. There are no decisions made to do one thing or another. The good thing is that people are aware. I have asked people to grab a copy of this and read it and weigh in. That is what this process is about.

Frank Fish from BFJ Planning explained he was here to provide the Board with the draft document. The Board, earlier this evening, took action to be the Lead Agency for SEQRA and that is a key action. We will come back and meet with you and make any revisions you want. From what I'm hearing here tonight, please read page 101 on the B zone; you might find greater reassurance on what the draft is saying.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed at 8:13 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 9:50 PM.



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September 20, 2012

2012 - - 336

APPOINTMENT OF STEPHEN MARCHESANI TO
THE ARCHITECTURAL REVIEW BOARD

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to appoint Stephen Marchesani to the Architectural Review Board, effective immediately, with his term to expire December 31, 2015.

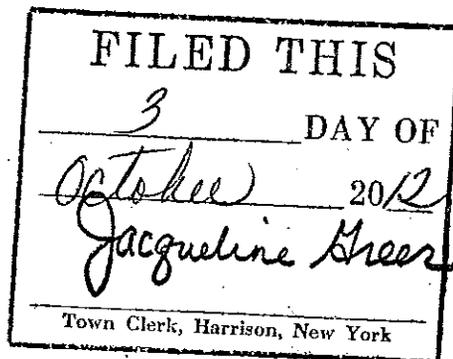
FURTHER RESOLVED to forward a copy of this Resolution to the Secretary of the ARB.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 20, 2012

2012 -- 337

APPROVAL OF FAMILY MEDICAL LEAVE FOR SUSAN ALBANESE,
OFFICE ASSISTANT, IN THE LAW DEPARTMENT UNTIL DECEMBER 31, 2012

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve leave to Susan Albanese, Office Assistant in the Law Department pursuant to the Family Medical Leave Act until December 31, 2012.

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

Adopted by the following vote:

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

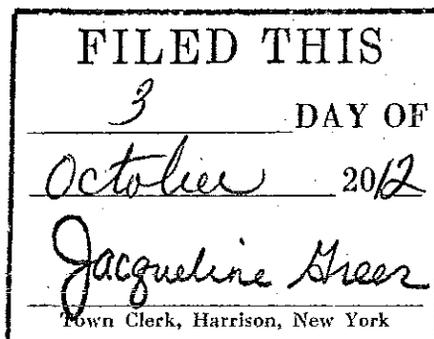
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
with all members voting in favor declared closed at 9:51 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk



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