

October 16, 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 Wednesday, October 16, 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) . . . Councilpersons

Joseph Cannella)

Stephen Malfitano)

Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney

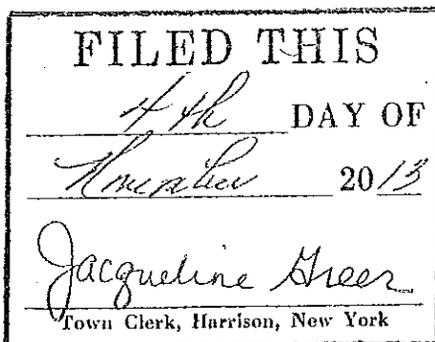
Jonathan Kraut Village Attorney

Christopher Cipolla Deputy Village Attorney

Anthony Robinson Commissioner of Public Works

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October 16, 2013

2013 - - 343

PRESENTATION OF AWARDS BY SUPERVISOR RON BELMONT
TO THE 12 YEAR OLD BOYS LITTLE LEAGUE
DISTRICT 20 CHAMPIONS

Supervisor Ron Belmont presented Certificates of Award to the following 12 year old Boys Little League District 20 champions and their coaches:

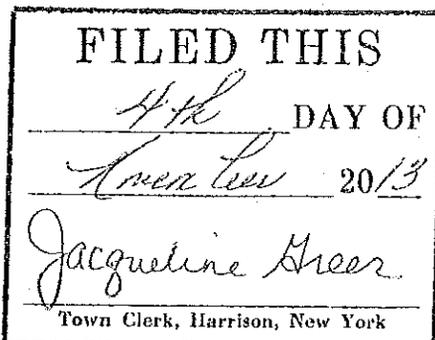
Michael Arlotta, Michael Didonato, Joe Didonato, Peter Hoffman, Dante Girardi, Frankie Nannariello, Billy Omeara, Christian Pizzutello, Joe Tiburzi, Jonathan Smrek, Chris Scazzero and Jack Woolf.

Manager: Joe Nannariello

Coaches: Lou Arlotta and Rob Tiburzi

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October 16, 2013

2013 - - 344

PRESENTATION BY SUPERVISOR RON BELMONT
FOR THE 50 YEAR SERVICE AWARD TO MEMBERS OF
THE WEST HARRISON AND HARRISON FIRE DEPARTMENTS

Supervisor Belmont said October is Fire Protection Month. With that in mind, he would like to recognize five gentlemen who have served our community as fire fighters. Each one of the firefighters achieved a significant milestone recently.

The West Harrison Fire District had two members who have put in fifty years of service. Unfortunately both could not be here this evening. The members are Mike Chiaravalloti and Raymond Naldini. The Supervisor thanked them for their service.

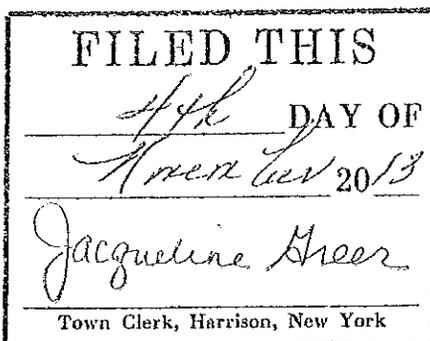
The Downtown Harrison Fire Department had three members who also put in fifty years of service. Thomas DiBuono and Jerry Terranova were in attendance. Each member was presented a Certificate of Appreciation for their extraordinary service. Vincent Figliola, unfortunately was unable to attend.

Supervisor Belmont congratulated all the firefighters and thanked their families for the member's outstanding service to the community.

Chief Nick Cusamano representing the downtown Harrison Fire Department said he has a great deal of respect for these members. He holds them with the highest regards. It was his pleasure to present them with their fifty year badges at the recent inspection dinner. All three are still active members. Their firematic knowledge along with their corporate memory made them invaluable to the Department. The Chief said he would have never reached his current position if it wasn't for these fine men. He congratulated the men and thanked them for their years of service.

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October 16, 2013

2013 - - 345

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Sciliano, seconded by Councilman Cannella,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Monthly report by the Town Clerk for September 2013.
- 1b. Monthly report by the Building Inspector for September 2013.
- 1c. Monthly report by the Receiver of Taxes for September 2013.
- 1d. Monthly report by the Acting Fire Marshal for September 2013.
- 1e. Monthly report by the Superintendent of Recreation for September 2013.
- 1f. Monthly report by the Chief of Police for September 2013.

- 2. Notification from St. Anthony's Church that its Annual Spaghetti Dinner will be held on Sunday, November 3, 2013 from 1 - 6 pm in the School Gym at 45 Gainsborg Avenue. Donations: \$12 adults and \$6 children under twelve years of age. Reservations are not required. Dinner includes Spaghetti and meatballs, bread, salad, dessert, coffee and seconds on spaghetti.

Adopted by the following vote:

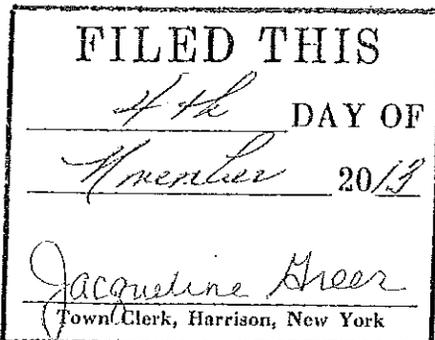
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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October 16, 2013

2013 -- 346 -- a

PUBLIC HEARING: RE: SPECIAL EXCEPTION USE PERMIT
FOR A GUEST FACILITY AT 8 LINCOLN LANE

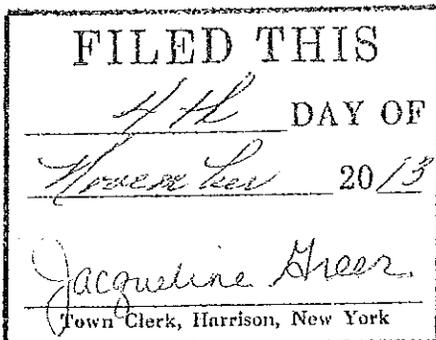
On motion of Councilwoman Amelio, seconded by Councilman Cannella, with all members voting in favor the Hearing was opened.

Leslie Snyder on behalf of her clients, Aron J. Ponticelli and Robin Quittell-Ponticelli, are requesting a special permit for a guest facility on their property at 8 Lincoln Lane. The property is a three acre parcel. They are proposing to construct a guest facility for a disabled member of their family. The proposal has been approved by the Planning Board and received special permit approval. Ms. Snyder was here tonight for the Boards approval of that special permit.

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

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October 16, 2013

2013 -- 346 -- b

APPROVAL FOR A SPECIAL EXCEPTION USE PERMIT
FOR A GUEST FACILITY AT 8 LINCOLN LANE

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Attorney Leslie Snyder, with the law firm of Snyder & Snyder, on behalf of her client, Aron J. Ponticelli and Robin Quittell-Ponticelli, for authorization for a guest facility at 8 Lincoln Lane, Harrison, NY.

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

Adopted by the following vote:

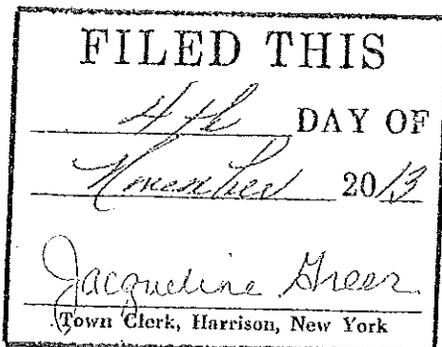
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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- Supvs'r



October 16, 2013

2013 -- 347

APPROVAL FOR A SPECIAL EVENTS PERMIT FOR
THE TRADITIONAL RYE GAME PEP RALLY AND BONFIRE
ON OCTOBER 18, 2013

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to approve the request of Stewart Hanson, Interim, Director of Physical Education, Health and Athletics for a Special Events Permit for the traditional Rye-- Harrison Game Pep Rally and Bonfire on Friday, October 18, 2013.

FURTHER RESOLVED that a certificate of insurance has been received and approved by the Law Department.

FURTHER RESOLVED to forward a copy of this Resolution to the Harrison Fire Department, the Harrison EMS and Mr. Hanson.

Adopted by the following vote:

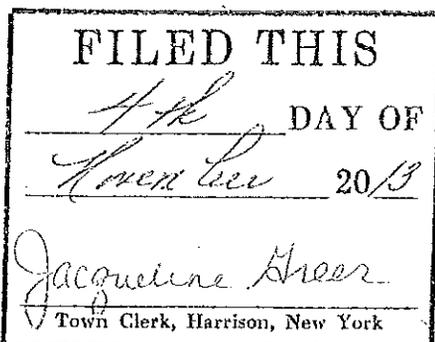
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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October 16, 2013

2013 -- 348

APPROVAL OF A BID AWARD TO AAA CARTING AND RUBBISH REMOVAL, INC.
FOR THE RENTAL OF 20-YARD CONTAINERS

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the Bid Award to AAA Carting and Rubbish Removal, Inc., 480 Furnace Dock Road, Cortlandt Manor, NY, 10567, for the Rental of 20-Yard Containers at their total net bid price of \$54,250.

FURTHER RESOLVED that funding is available in the Highway Department Operating Budget Line #003-5110-100-0416.

FURTHER RESOLVED that the Law Department is authorized to prepare the contract and the Supervisor to execute same.

FURTHER RESOLVED that the Comptroller is authorized upon receipt of claims, to audit and upon audit the Supervisor to pay same.

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

Adopted by the following vote:

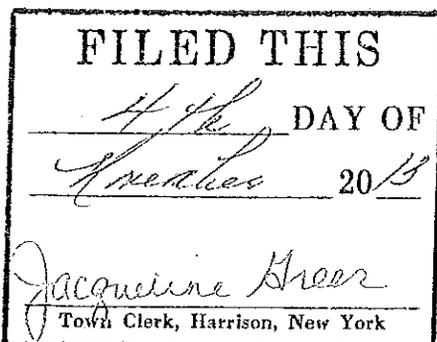
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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October 16, 2013

2013 - - 349

AUTHORIZATION TO CORRECT AN ERROR IN THE
IMPLEMENTATION AND ADMINISTRATION OF
THE WEST HARRISON FIRE DEPARTMENT SERVICE AWARD PROGRAM

Councilman Cannella added some history to the subject. Residents of West Harrison adopted a LOSAP Program to sponsor and give incentives to volunteer fire departments. These incentives entitle the West Harrison Volunteers to retirement payments with respect to years of service. The program was approved by referendum of the residents of Fire District 2 in 2004 and it went into effect at that time. We recently discovered that what we intended to do with respect to the program actually was not initiated or implemented exactly the way we wanted it to. We had an unusual circumstance that just came to light with the death of two members right after entering into the program. What happened is, that while we intended that a member receive 120 payments, the dollar amounts would depend on how many years they served. The way the program was implemented, if you happen to pass on prior to drawing down your first monthly payment, you receive the benefit that was accrued for you. If you took down even one payment, say you reach the age of 62, and receive one payment, then pass on, you receive nothing after that. Meanwhile we actually funded the benefit for the member. We had two volunteer fire fighters who passed on very early in their payments and received very little. When this was brought to our attention and we spoke to the company that established the program and we realized there was a mistake in the way it was implemented. The entire benefit is already funded so the money is already there. The total cost to the town for correcting this error, which I believe should be done retroactively, to cover the two people's families who unfortunately passed on, the total cost to the town is approximately \$2,400 a year.

Whereas, Penflex, Inc. is the actuarial firm retained by the Harrison Fire District No. 1 to provide actuarial and administrative services for the Program. Its President, Edward J. Holohan, has communicated to the Board of Fire Commissioners that an error was made in implementing the West Harrison Fire Department Service Award Program has recommended that the error be corrected and indicated on Fire Department Service Award Program which is the subject of this resolution will increase the current annual cost of the Program by about \$2,400 per year from about \$124,300 to about \$126,700 and that the current Program as corrected (under which a \$20 accrued Service Award is paid) will continue to comply with all applicable statutes, both federal and state.

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Penflex, Inc. for authorization to correct an error in the implementation and administration of the West Harrison Fire Department Service Award Program. This correction shall be administered retroactive to January 1, 2004 to provide a death benefit to post-entitlement age participants as follows:

October 16, 2013

2013 -- 349

If a post-entitlement age participant dies before receiving 120 monthly payments have effectively been made, monthly payments shall continue to the participant's designated beneficiary (or estate if no beneficiary is designated) until 120 payments have been paid altogether between the participant and the designated beneficiary (i.e., payments shall cease after the 120th payment). The designated beneficiary may elect to be paid in one single lump sum payment equal to the discounted present value of the payments owed to the designated beneficiary. For the purposes of determining discounted present value, the interest rate used shall be the same as that used to determine the annual cost of the Service Award Program.

This post-entitlement age death benefit shall be payable to the designated beneficiary of the only post-entitlement age participants who, since the establishment of the Program, died prior to receiving 120 monthly payments. Such death benefit shall be paid as soon as administratively feasible after the adoption of this Resolution by the Board of Fire Commissioners.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the Comptroller, the Personnel Manager, the Chief of the West Harrison Fire Department and Mr. Holohan.

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella and Malfitano
Supervisor Belmont

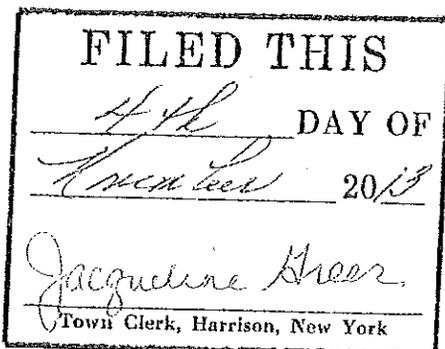
NAYS: None

ABSENT: None

RECUSED: Councilman Sciliano

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October 16, 2013

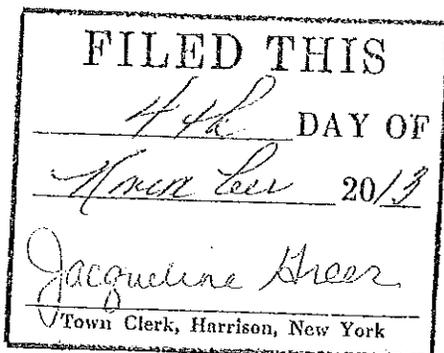
2013 - - 350

ADJOURNED TO EXECUTIVE SESSION:
REQUEST BY SUPERVISOR RON BELMONT FOR AUTHORIZATION
TO EXECUTE MEMORANDUM OF AGREEMENT WITH LOCAL 456,
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

The matter was adjourned to executive session.

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October 16, 2013

2013 - - 351

AUTHORIZATION FOR A PROFESSIONAL SERVICES CONTRACT
WITH LANGAN ENGINEERING FOR INSPECTION SERVICES
RELATED TO THE STORMWATER POLLUTION PREVENTION PLAN
FOR PEPSI PROJECT REVIEW

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Town Engineer Michael Amodeo for authorization for a professional service contract with Langan Engineering for Inspection Services related to the Stormwater Pollution Prevention Plan for Pepsi Project Review – Phase I, at a cost not to exceed \$57,600.

FURTHER RESOLVED that the Law Department is authorized to review the proposal and upon review, the Supervisor to execute same.

FURTHER RESOLVED that funding is available in Account #009-0000-763 (Inspection Fee – Escrow Account).

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

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella and Malfitano
Supervisor Belmont

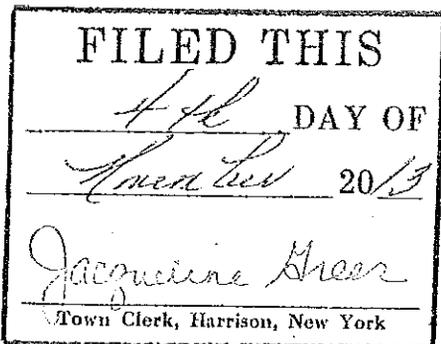
NAYS: None

ABSENT: None

RECUSED: Councilman Sciliano

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October 16, 2013

2013 -- 352

AUTHORIZATION FOR DIRECTOR OF COMMUNITY SERVICES NINA MARRACCINI
TO ACCEPT TWO (2) ANONYMOUS CHECKS FOR THE
HARRISON FOOD PANTRY

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request of Director of Community Services Nina Marraccini for authorization to accept two (2) checks from anonymous donors totaling \$1,500.

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

Adopted by the following vote:

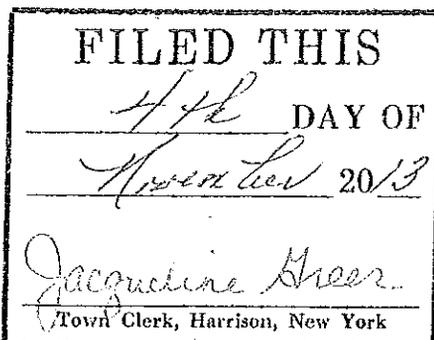
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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October 16, 2013

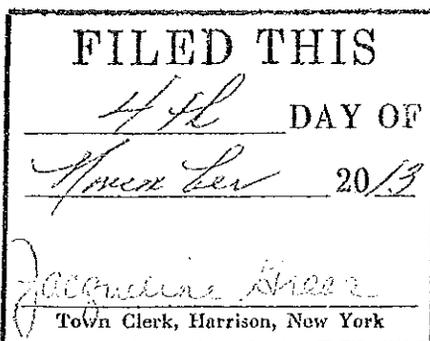
2013 -- 353
OLD BUSINESS

Harrison resident Rob Porto said that while looking on the Town's website he noticed there was a link with the PDF version of the agenda. I thank you Jackie Greer, Town Clerk for doing that.

Harrison resident Elizabeth Pritchard said she didn't think that the signage proposal presented at the last Town Board meeting is a good idea for Harrison. She opined that the signs don't contribute to the beauty of Harrison. Ms. Pritchard reasoned that the amount of money discussed by the representative who presented the briefing was negligible. She said the money doesn't offset the negative impact the advertising will visually do to the town.

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October 16, 2013

2013 -- 354

MATTERS FOR EXECUTIVE SESSION

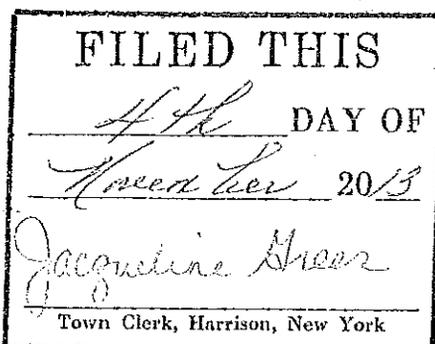
Litigation 1
Personnel 3
Collective bargaining 1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 8:16 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 10:56 PM.

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The following Resolution was also adopted in the Village (VBR#2013-091)

October 16, 2013

2013 -- 355

AUTHORIZATION FOR SUPERVISOR RON BELMONT TO SIGN AND EXECUTE
MEMORANDUM OF AGREEMENT WITH LOCAL 456,
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

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

it was

RESOLVED to authorize Mayor Ron Belmont to sign and execute Memorandum of Agreement with Local 456, International Brotherhood of Teamsters.

FURTHER RESOLVED to forward a copy of this Resolution to the Supervisor, the Law Department and the President of International Brotherhood of Teamsters.

Adopted by the following vote:

AYES: Trustees Amelio, Cannella, Malfitano and Sciliano
Mayor Belmont

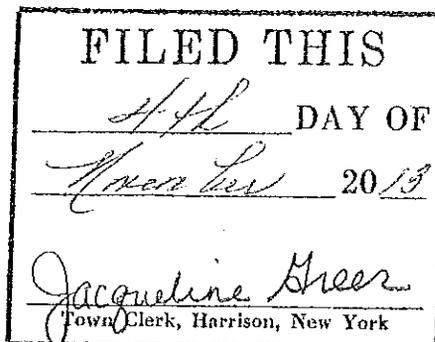
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 11:00 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk



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