

September 4, 2014

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, New York, Westchester County, on Thursday, September 4, 2014 at 7:30 PM. Eastern Standard 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:

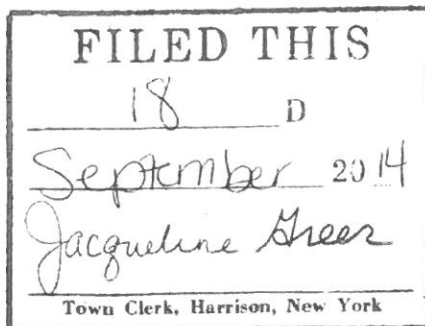
Frank Allegretti Town Attorney

Jonathan Kraut Village Attorney

Christopher Cipolla Deputy Village Attorney

Anthony Robinsono Commissioner of Public Works

Maureen MacKenzie Comptroller



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September 4, 2014

2014 - - 323

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the following correspondence and reports:

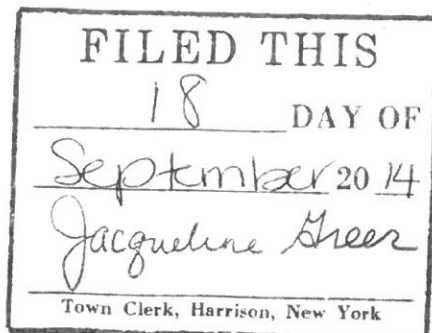
1. Monthly report by the Superintendent of Recreation for July 2014
2. Monthly report by the New Rochelle Humane Society for July 2014
3. Monthly report by the Town Clerk for July 2014
4. Monthly report by the Building Inspector for July 2014.
5. Monthly report by the Receiver of Taxes for July 2014
6. Monthly report by the Acting Fire Marshal for July 2014
7. Monthly report by the Commissioner of Public Works for July 2014
8. Monthly report by the Chief of Police for July 2014

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 4, 2014

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AUTHORIZATION FOR A CORRECTION TO THE HOURLY RATE OF PAY FOR
PART TIME RECREATION EMPLOYEE ANTHONY SACCOMANNO

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Personnel Manager Debra Scocchera for authorization for a correction to the hourly rate of pay for part time recreation employee Anthony Saccomanno. The rate should be changed from \$6.75 per hour to \$7.00 per hour.

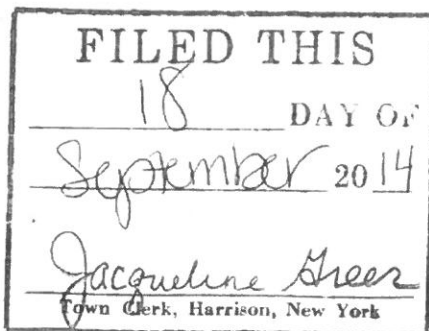
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Personnel Manager and the Superintendent of Recreation.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 4, 2014

2014 - -325

AUTHORIZATION FOR COURT CLERK JACQUELINE RICCIARDI TO ATTEND
THE NEW YORK STATE ASSOCIATION FOR MAGISTRATES/COURT CLERKS
2014 ANNUAL CONFERENCE TO BE HELD IN ALBANY

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to approve the request by Court Clerk Jacqueline Ricciardi for authorization to attend the New York State Association of Magistrates/Court Clerks 2014 Annual Conference to be held in Albany, New York from September 28 – October 1, 2014 at a cost not to exceed \$1,240.00. This is a budgeted item.

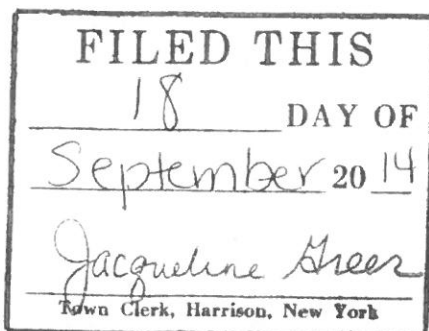
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Court Clerk.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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AUTHORIZATION TO HOLD A BLOCK PARTY ON SEPTEMBER 13, 2014
ON OLD WELL ROAD FROM 11:00 AM to 8:00 PM

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request by Celine Rossi for authorization to hold a block party on Old Well Road from 11:00 AM to 8:00 PM. A certificate of insurance will be provided.

FURTHER RESOLVED to place barricades on Winson and Duxbury Roads.

FURTHER RESOLVED that all fees be waived.

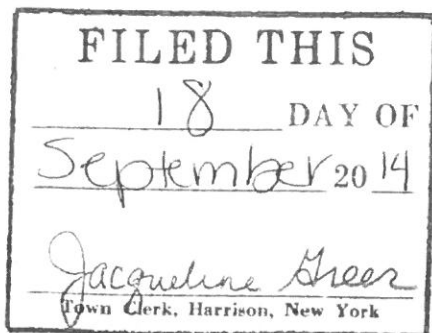
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the Department of Public Works, Lieutenant DiBuono and Ms. Rossi.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 4, 2014

2014 - - 327

AUTHORIZATION TO HOLD A BLOCK PARTY ON HESS AVENUE ON SUNDAY
SEPTEMBER 21, 2014 FROM 11:00 AM TO 8:00 PM

On motion of Councilman Malfitano, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request by Kevin Bannon for authorization to hold a block party on Hess Avenue on September 21, 2014 from 11:00 AM to 8:00 PM. Hess Avenue is a one block street between Coakley and Danner Avenues. A certificate of insurance will be provided.

FURTHER RESOLVED that all fees be waived.

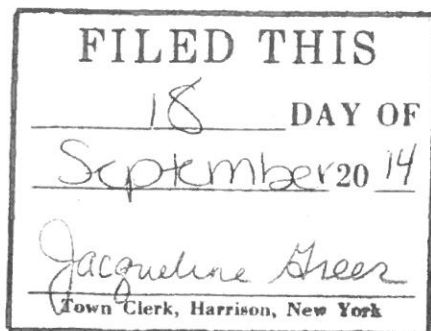
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, the Commissioner of Public Works, Lieutenant DiBuono and Mr. Bannon.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 4, 2014

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AUTHORIZATION FOR THE SUPERVISOR TO SIGN THE WESTCHESTER
COUNTY HEALTH DEPARTMENT CERTIFICATE OF AUTHORIZATION FOR
THE GREAT TO LIVE IN HARRISON CELEBRATION FESTIVAL

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to authorize the Supervisor to sign the Westchester County Health Department Certificate of Authorization for the Great to Live in Harrison Celebration Festival.

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

Adopted by the following vote:

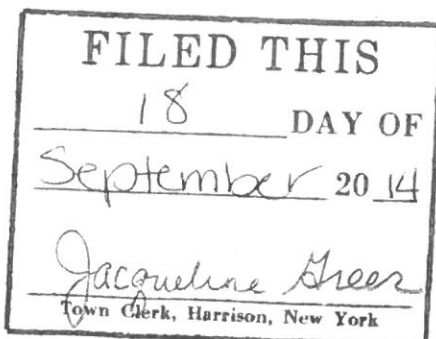
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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September 4, 2014

2014 - - 329

AUTHORIZATION FOR THE DIRECTOR OF COMMUNITY SERVICES NINA
MARRACCINI TO ACCEPT AN ANONYMOUS DONATION FOR
THE HARRISON FOOD PANTRY

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by the Director of Community Services Nina Marraccini for authorization to accept an anonymous donation in the amount of \$2,000 for the Harrison Food Pantry.

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

Adopted by the following vote:

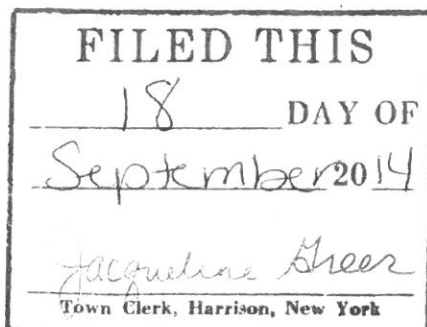
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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September 4, 2014

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AUTHORIZATION FOR A PROFESSIONAL SERVICES CONTRACT
WITH ALFONZETTI ENGINEERING

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Town Engineer Michael Amodeo for authorization for Professional Services Contract with Alfonzetti Engineering for the purpose of performing Stormwater Pollution Prevention Plan Inspections at a rate of \$80.00 per hour not to exceed \$50,000.00.

FURTHER RESOLVED that funding is available for this contract in Engineering Inspection fees Account #009-0000-763.

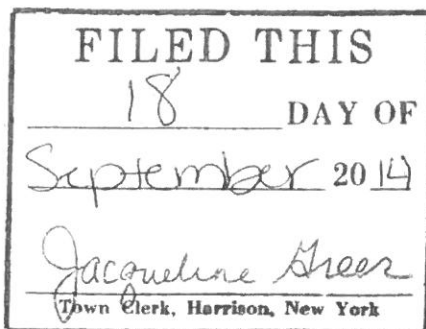
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Law Department and the Town Engineer.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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September 4, 2014

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AUTHORIZATION FOR 3 CENTURY TRAIL TO EXTEND THE
EXISTING SEWER MAIN TO SERVICE THIS PARCEL AND JOIN
THE CENTURY TRAIL SEWER DISTRICT

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to approve the request by Langan Engineering for the property owner at 3 Century Trail to extend the existing sewer main to service this parcel and join the Century Trail Sewer District as well as extending the sanitary sewer main located within Century Trail 100 feet in the northerly direction toward Union Avenue, subject to the payment of all outstanding back charges.

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

Adopted by the following vote:

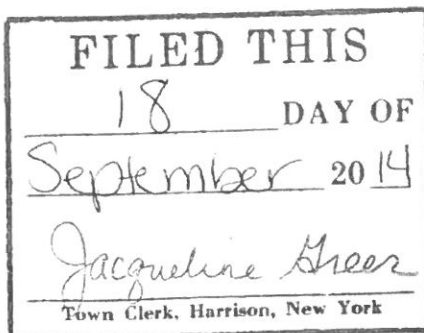
AYES: Councilpersons Amelio, Cannella, Malfano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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September 4, 2014

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APPROVAL OF AGREEMENT BETWEEN CLARITY TESTING SERVICES
AND THE TOWN OF HARRISON AND FOR THE
SUPERVISOR TO EXECUTE THE SAME

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the Agreement between Clarity Testing Services and the Town of Harrison for police drug testing services at an annual cost of \$14,000.00.

FURTHER RESOLVED for the Supervisor to execute the Agreement.

FURTHER RESOLVED that funding is available in budget line 001-3120-100-0407 Police Special Services.

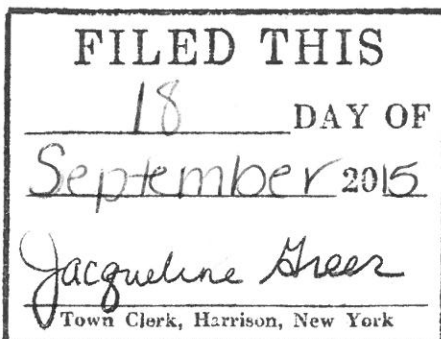
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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AUTHORIZATION FOR THE FOURTH OF FOUR INSTALLMENT PAYMENTS OF
THE 2014 FUNDING FOR THE HARRISON EMERGENCY MEDICAL SERVICES

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Joseph Bilotto, Chief Operating Officer for Harrison EMS for their fourth of four installment payments, for the 2014 funding for the Harrison Emergency Medical Services in the amount of \$137,500.

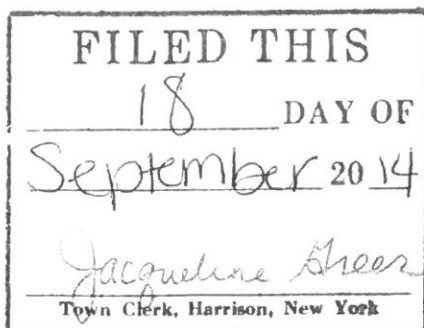
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and to Mr. Bilotto.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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AUTHORIZATION FOR A BUDGET TRANSFER FOR THE PURPOSE OF
PROVIDING FUNDS TO HIRE A CONSTRUCTION COMPANY
TO PERFORM PAVING WORK

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

RESOLVED to approve the request by Comptroller Maureen MacKenzie for
authorization for a budget transfer for the purpose of providing funds to hire a
construction company to perform paving work.

INCREASE:

003-5110-100-0407
Highway Special Services \$45,000

DECREASE:

033-5110-100-0102
Highway Salaries \$45,000

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

Adopted by the following vote:

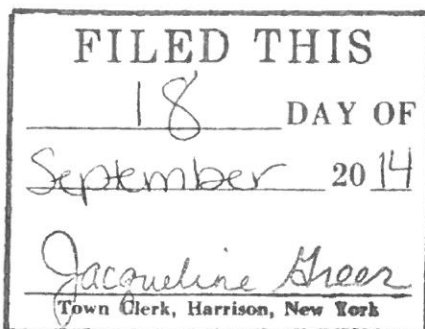
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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AUTHORIZATION FOR THE PURCHASING DEPARTMENT TO ADVERTISE
AND RECEIVE BIDS FOR THE PARKING LOT PAVING AT
THE SENIOR CENTER ANNEX IN WEST HARRISON

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Town Engineer Michael Amodeo for authorization for the Purchasing Department to advertise and receive bids for the parking lot paving at the Senior Center Annex in West Harrison.

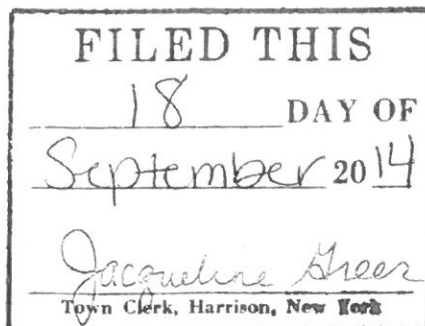
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Purchasing Department and the Town Engineer.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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AUTHORIZATION FOR CBS/EYE PRODUCTIONS AND
OLD OAKS COUNTRY CLUB TO HAVE A FIREWORKS DISPLAY
ON WEDNESDAY, SEPTEMBER 17, 2014 BETWEEN 8:00 PM AND 10:00 PM

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

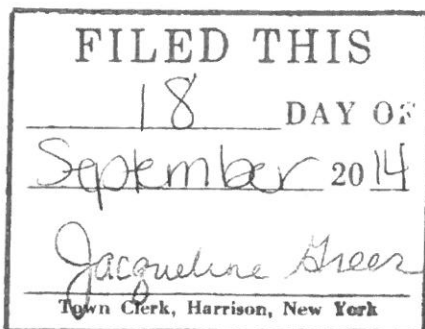
it was

RESOLVED to approve the request by CBS/EYE Productions and Old Oaks Country Club for authorization to hold a fireworks display on Wednesday, September 17, 2014 between 8:00 PM and 10:00 PM (rain date to be determined) for a scene being filmed for a new television pilot entitled "Members Only", subject to approval by the Town Clerk, the Acting Fire Marshal and the Chief of Police.

FURTHER RESOLVED to forward a copy of this Resolution to the Acting Fire Marshal, the Chief of Police, CBS/EYE Productions and Old Oaks Country Club.

Adopted by the following vote:

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



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AUTHORIZATION TO AUCTION VEHICLES AND EQUIPMENT ONLINE USING
THE ONLINE AUCTION COMPANY, AUCTIONS INTERNATIONAL

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by the Coordinator of Computer Services for authorization to auction the following vehicles and equipment using the online auction company, Auctions International, at no cost to the Town:

<u>Vehicle</u>	<u>Vin #</u>
1998 Mack MS300P	VG6M118BXXXB303324
2003 Chevy Tahoe	IGNEK13V73J230346
2002 Dodge Durango	1B4HS38N52F204997
1997 Ford F350	1FDKF38F7VEB36374
1997 Mack DM688S	1M2P96C6VM031571
1997 Ford F350	1FDLF47F6VEB95587
2001 Ford F350	1FDWF37F31EC67251
1993 Brush Bandit 250 Chipper	6075
John Deere 80 Backhoe Attachment	

<u>Copier</u>	<u>Serial #</u>
Ricoh Aficio	K9455700528
Ricoh Aficio	K0240200143

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Coordinator of Computer Services.

Adopted by the following vote:

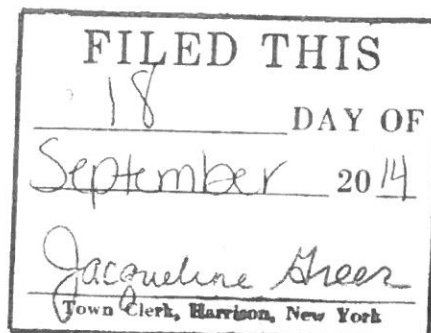
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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OLD BUSINESS

Harrison resident Jimmi Pritchard brought to the Boards attention several pictures showing flooding that occurs in the area known as Project Home Run. Ms Pritchard spoke of the Town Board having a proposal that is going to change the configuration at the project because the Board wants to build a ballpark and a parking lot. The flooding is going to be worse by what is going to be done down there.

Councilman Malfitano responded that there is a tremendous amount of history that you are referring to. I would suggest you go back in history of the Town/Village of Harrison and reference some of the articles that were written by the Daily Item in the early 1970's. If you were to reference those articles and read about the flooding that took place in that corridor at that time and compare the flood plain then to the flood plain today, in any type of rain event, there is without any question, from an engineering standpoint, and I don't make this up, this is what people tell us and it also has to do with our visual observation for those of us who have been here long enough and with respect to the record that there has been flooding along that corridor for some fifty years. I think it is important, when you stand up to the microphone and you interject information to the public, that it be accurate. The inference that you are making is that the flooding that exists there today is directly attributable to the project and that is absolutely not correct. You can hold up all those pictures as much as you want but what I suggest you do is read the papers from 50 years ago and see that the flooding was as bad if not worse. You made a statement that plans are being put forth to change once again this floodplain.

Harrison resident Jimmi Pritchard said our consultants, that we hired, said we would be decreasing the ability to control the flooding with the changes that have been made.

Supervisor Belmont said that is totally false.

Councilman Malfitano said that is absolutely incorrect. The papers are wrong! We cannot control what the press writes. I believe our counselor did correspond with the press after the article was written pointing out some of the discrepancies of the reporting. If you want to know the real story then what I suggest you do, with respect to what is being proposed, is call our consultant and have a conversation with him and ask him that question directly.

Harrison resident Jimmi Pritchard said I almost think we need a separate consultant now.

Councilman Malfitano said I'm going to go back in time to a meeting I sat in on with our engineers, our Commissioner of Public Works, the Mayor of the City of Rye, his engineers, and an engineering firm that we both hired. They mapped that entire flood plain and they took a look at everything we were proposing then. Which by the way is more significant then what has taken place since. In their mapping of that flood plain and

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their statistical analysis of it and the presentation that they made to both Governments made it abundantly clear to us, and that copy is available to you if you would like to go and find it, that what was being proposed then, which is more significant than what was developed, would not in any way impact to any measureable degree, flooding along the corridor. It is fine if you want to come here and make comments but I think you ought to have your information correct if you are going to make comments into the public domain. I would suggest you go back and review the history, pull the periodicals, take a look at the conditions that existed 50 years ago, if you are not satisfied with what I am saying, you don't have to be, quite frankly I don't really care, call our consultant and have a conversation with him.

Harrison resident Lucille Held said that's a good thing for a councilman to say.

Councilman Malfitano responded that it is a fine way to reply. I really don't care because what is being interjected into this room tonight has no bearing on reality.

Harrison resident Jimmi Pritchard said I didn't see any rebuttal to what the newspapers put out.

Councilman Malfitano said you wouldn't, it was just published this week. Perhaps you will next week if they choose to publish it and by the way don't look for my comments because I didn't make them.

Harrison resident Linda Spero said her question is these pictures were taken recently so forget 1979 this is still here.

Councilman Malfitano said why would we forget 1979; what is the inference here?

Harrison resident Linda Spero said the inference is this: this is still here, one house was completely covered with water, you couldn't get in or out, so maybe they shouldn't have been allowed to put a house there because these houses are useless now. Maybe they shouldn't even pay taxes at this point.

Councilman Malfitano said that is a different issue.

Harrison resident Linda Spero said it is not a different issue.

Councilman Malfitano said the inference that has been made here is that what this body did, over the years, when I was involved, is that there was something done wrong that is causing that flooding. That, as far as the public is concerned, is completely incorrect.

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Harrison resident Linda Spero asked what was it, how come it wasn't fixed? If we went ahead and tore down all that stuff why wasn't it better?

Councilman Malfitano said the fix for that condition, we have known for decades. The fix is much further down the corridor, in a section of the brook that becomes a bottleneck. It is behind our Public Works Department at a point where it starts to run through the Village of Mamaroneck and at a point further into the Village of Mamaroneck and out towards the Boston Post Road. It is tremendously constrictive. It is akin to of looking at a magnum bottle of Champaign. This area that we are referring to is the belly of that bottle and it empties through the cork neck of the bottle as it enters into the Village of Mamaroneck. This is a storage area and the only way to control flooding in that storage area is to increase the release of the supply of water at the neck.

Harrison resident Linda Spero said you are telling me this is all going to go away?

Councilman Malfitano said I'm telling you that it could all go away if the City of Rye, Village of Mamaroneck, Town/Village of Harrison and the County of Westchester would put their minds together collectively, not politically, which has happened in the past, and put up the dollars, the capital, along with the County of Westchester to invest in making that a better situation. By the way, I am on record, as being a proponent of that. There is a letter on file from my office, when I sat here, that was written to the Mayor of Mamaroneck and the City of Rye Mayor calling on them to do exactly that and there was no response. Not from any of the council people, not from the City of Rye, the only response we got was from the Village of Mamaroneck who agreed in concept that they would work with us if they could understand what it would entail.

Harrison resident Linda Spero said so now two people want to work together. My question is why would we get involved with changing things around, which could cause a bigger problem.

Councilman Malfitano said that is presumptuous on your part.

Harrison resident Linda Spero offered a suggestion. What we should do then is all go to a big venue, bring the people that have made this decision, and let's hear them out. Then everybody will shut up and you can do what you have to do.

Councilman Malfitano said I don't think people will shut up. I think this is going to be an issue.

Harrison resident Linda Spero said they have to if they feel and they have been told verbally, that these are the things that are going to happen.

September 4, 2014

2014 - - 338 (continued)

Councilman Malfitano said affecting a project like that, which I am a proponent of, involves so many different working parts, and significant dollars, we are talking about millions of dollars that would have to be invested and there would most probably be the taking of private property to do that.

Harrison resident Linda Spero said with this water all over the place you would have to give them value for what the property is worth and you pay them so they can buy a house where their children aren't going to get sick.

Councilman Malfitano said I am in favor of doing that; I have been in favor of doing that.

Harrison resident Jimmi Pritchard said if I'm wrong I apologize but I would like to see this resolved in a way that it is beneficial for Harrison as well as our neighboring communities. If it is a matter of just dredging that area where it is all bottled up then do it.

Supervisor Belmont said it is more than just dredging.

Harrison resident Jimmi Pritchard said when you add fill, which we did, and you put clay down it seems to me you can't grow good stuff down there.

Councilman Malfitano said we used virgin fill material that was excavated from the Morgen Stanley site when they built their garage, at no cost to the town. In a public meeting we accepted that gift. It was virgin fill material, not clay.

Harrison resident Jimmi Pritchard asked the Board when we put fill down there didn't we raise the grade elevation? That would make more water go to the lower areas?

Councilman Malfitano replied yes we did raise the grade elevation but no it would not make more water go to the lower areas. The easiest way I can explain it to you is if you have a swimming pool and you throw a brick into the pool can you measure any effect on the level of water? The answer is no you can't, statistically you can't. That is the analysis.

Harrison resident Jimmi Pritchard replied that is not what I'm taking about. That is your analysis.

Councilman Malfitano replied that it is not my analysis that was the engineer's analysis.

Town Attorney Allegretti said by the way that analysis was accepted by the Department of Environmental Conservation (DEC).

September 4, 2014

2014 - - 338 (continued)

Harrison resident Jimmi Pritchard said the DEC hasn't really ruled on this for seven years. There is pending litigation.

Councilman Malfitano said yes they have. There really isn't pending litigation. The process that we are going through now is an attempt to satisfy our neighboring communities concerns, which by the way, to date have never been born out, never.

Harrison resident Jimmi Pritchard said that is your opinion.

Councilman Malfitano said that is not our opinion, those are the facts. Do me a favor, pick up the phone and call our engineers.

Councilman Cannella said the engineering firm that created most of the FEMA maps with respect to flooding is renowned and the example he gave as to the original project is fill a glass of water, drop a quarter in it. There is no foreseeable difference in terms of flooding. That analysis was made many times by the engineers as we discussed the original project. Be that as it may, Councilman Malfitano is also correct because we had the engineers here. We spent a great deal of money trying to figure out ways to deal with the flooding issues not only there but in other areas of town. With respect to that particular issue the problem is clearly the bottleneck and it will require multiple town/city and the county's involvement. Everything that has been done from that initial project has actually been to reduce the significance of the project to try and compromise this out with our neighbors. I didn't see the article in the paper. Whatever was written is just not accurate.

Harrison resident Jimmi Pritchard explained that she knew we got money from the Federal Government to work on this. It seems to me that should be our plan going forward to get some Federal or State money to reduce the flooding down there for the neighborhood and the good of the Town. That is what I would like to see this Board work on. I wouldn't like to see this Board spend any more money to do a parking lot and a ball field in a flood area. Are we doing a parking lot and who is going to pay for that?

Supervisor Belmont said we are not doing a parking lot and we are not doing a ball field.

Harrison resident Jimmi Pritchard said this was all in the local paper. What do you want to do down there? What is the plan?

Supervisor Belmont said we are not doing anything right now. Right now there is no plan. We are not going to put a ball field or a parking lot. Personally I would like to see that as a central park where kids could kick a soccer ball and parents can go for a walk with their kids. Passive recreation is my choice but we have a Board here and residents who may want other things.

September 4, 2014

2014 - - 338 (continued)

Harrison resident Jimmi Pritchard asked nobody wants a parking lot or a ball field? That was all a lie?

Councilwoman Amelio said I do not want a parking lot or a ball field.

Councilman Malfitano said define a parking lot? When I hear parking lot everybody thinks paved; a parking area. I want to know if that is what your understanding is.

Harrison resident Jimmi Pritchard said first of all it is a swamp. I don't want cars down there that will leak stuff to take more pollution into the sound. A parking lot is a place where you park cars. So the newspaper just made this stuff up? They didn't talk to anybody that gave them any information that would make them think that we had any kind of plan. Is that what you are telling me, that there was never anything said about a ballpark or parking lot?

Councilman Malfitano said I want to explain what I think the papers were reporting on and that is the plan that is in front of the DEC for final permit.

Supervisor Belmont said I'm not sure where this all came from but Councilman Malfitano will explain.

Harrison resident Jimmi Pritchard said Town Attorney Allegretti is quoted in the same article.

Town Attorney Allegretti said he was out of town and it was a comment that was made at the last public meeting that we had about the need to approve the negative declaration.

Supervisor Belmont said your response to the newspaper was when you got back from vacation correct?

Town Attorney Allegretti said yes and he is probably not going to publish that.

Councilman Malfitano said the final grading plan prepares that site for recreational uses. That could be anything from passive to an open field for soccer to Frisbee play to walking trails to a baseball field, that is what the final grading plan contemplates. When approval is given the Town of Harrison will have the right, if they choose to do so, to finish a park that will include those types of uses. Is there anyone on this Board that has any discussion about doing anything there or putting forward a plan to develop it? The answer is no. I don't think there is any interest in spending a dime to do anything other than what we are obligated to do with respect to maintaining the property. We are going to have to finish it, it is going to have to be final graded, it is going to have to be drained

September 4, 2014

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properly and it is going to have to be seeded. Those are things that are going to have to be done.

Harrison resident Jimmi Pritchard asked if she could get a copy of the modified plan submitted to the DEC.

Town Attorney Allegretti responded that Ms. Pritchard should submit a FOIL.

Councilman Cannella said when Joan Walsh was Mayor this conversation came up again and she supported going forward with completing the process and getting the permits done. The Board unanimously discussed the probable uses of that premises and everybody was of the mind that it would be passive recreation and not more then that and nothing has changed. I don't know what is going on here to be honest with you. Supervisor Belmont asked Harrison resident Jimmi Pritchard if she had another item under old business.

Harrison resident Jimmi Pritchard said she wanted to talk about the village green. You all approved it at the last meeting and I think you approved \$125,000. What does that cover?

Supervisor Belmont said Ma Riis Park is in need of new fencing and has trip hazards. We have an account called recreation sub division and it can only be used strictly for recreation capital projects. Right now we are going to install fencing along Harrison Avenue and some fencing along Heineman Place. The amount of fencing along Heineman Place is still to be determined. We had an architect look at the park and he came in with some concepts that cost well over a million dollars to get the park really looking nice. These economic times do not call for spending a million dollars. So we are going to replace the fencing and make the park look really nice. The Dough Boy monument will be addressed and upgraded.

Harrison resident Jimmi Pritchard asked Supervisor Belmont if the gazebo was part of the plan?

Supervisor Belmont responded that the gazebo was not part of it. We could use a new electrical service and we could use an irrigation system but these are things we just don't have the money for right now.

Harrison resident Jimmi Pritchard said we are spending \$125,000 for sidewalks fencing and monument. Did you say we were not spending anything on electrical?

Supervisor Belmont said it is under \$125,000 and we are not doing any electrical upgrades.

September 4, 2014

2014 - - 338 (continued)

Harrison resident Jimmi Pritchard asked if this would be bonded.

Supervisor Belmont responded that he already explained this is a recreation sub division account that we are taking the money from. We are going to do fencing, the monument and trip hazards. We are doing Phase 1 to correct the problems that have to be corrected immediately.

Harrison resident Lucille Held said she was insulted and disgusted. Mr. Malfitano made a statement to one of our citizens that he doesn't really care. I walked on the Rye side of this big pond with water up to my ankles.

Councilman Malfitano responded you would have done that 50 years ago too, if you had the gaul to go out there in a rain storm. Call it for what it is. When people come into this room and interject information that is false and affects the public point of view I won't stand for it.

Harrison resident Lucille Held said then get out of here and you don't have to be elected.

Councilman Malfitano said I am elected to represent this community. I'm not elected to sit here and put up with garbage which is what you interject to this room all too frequently. When I say I don't care, so you understand, I care deeply about this community but what I don't care for is when people come into this room and purposely put forth false and misleading information in an accusatory fashion. That is what you just did.

Harrison resident Lucille Held spoke while Councilman Malfitano spoke in heated tones.

Councilman Malfitano said I don't care. We are done. Councilman Malfitano said to Supervisor Belmont that you can either close the meeting or I'm walking out.

Supervisor Belmont said Ms. Held this is not productive.

Harrison resident Lucille Held said I didn't start this.

Councilman Malfitano said yes you did. You got up and accused me. I said enough; 50 years ago if you had the guts and the gaul to go walk that corridor in a rain storm you would have been up to your shoulders but you didn't do that. You come in here and you make accusations and you point the finger wrongly.

Councilman Cannella made a motion for a 5 minute recess.

Councilwoman Amelio seconded the motion.

September 4, 2014

2014 - - 338 (continued)

Supervisor Belmont asked for a motion to resume the Town Board Meeting.
Councilman Cannella made the motion and Councilman Sciliano seconded the motion.

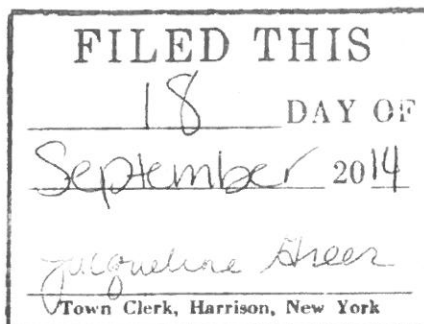
Supervisor Belmont said there are no personal attacks here. If you have a question or comment we would like to hear it but make sure your facts are factual and not made up or opinionated.

Harrison resident Lucille Held said that 50 years ago she fought the flooding that went on in the Brentwood for 10 years. If you have a picture in your hand that shows you that there is water there you're responsible for the safety and welfare of the citizens to make sure that they do not get flooded. All I'm saying to you, and remind you, that there is no flooding allowed in any spot in the Town of Harrison that injurys or threatens any person's life. When you have a picture in front of you that shows the flooding it is your responsibility, your duty, to fix it. This has to be fixed like the Brentwood. For fifteen years the water was flooding their basements and it was finally fixed and was done so because land was sold by the riverbanks. I will not stand for any insult to my presence, or my tax paying dollars, in the Town of Harrison, when someone tells me that I don't care. I do care and I've proven that I have cared.

Harrison resident Emil Toso addressed the Board regarding a letter asking them to oversee the ruling of the Zoning Board and the Planning Board. He went on to say that there is a property on Fremont Street that has been zoned for parking. It is a residential B zone lot and the Zoning Board is allowing it to be used as a parking lot for a business. This is totally out of concept for the zoning of Harrison. I spoke to the building department and I asked them if this was going to come before the Town Board. I was told that there are no laws to refer it to the Town Board. I think this issue needs to come before this Board and get your approval before they are allowed to do this. For fifty years this town has allowed an illegal parking lot in the lot next door. Obviously the town is in favor of this. I understand that progress has to be met but lets pass some laws and do things legally instead of having things done illegally. This is a detriment to our neighborhood and it sets a precedent that Fremont Street, the block behind the business district, is going to be used for illegal parking lots for the business community. I'm asking you to intervene in this situation and ask the building department not to issue a permit for this property until it comes before this Board.

Copies to:

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



September 4, 2014

2014 - - 339

MATTERS FOR EXECUTIVE SESSION

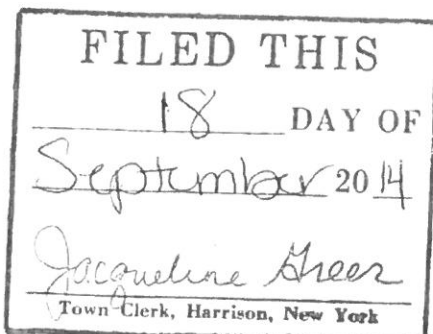
Tax Certiorari: 3
Settlement of Claim: 2
Litigation: 4
Personnel: 1
Advice of Counsel: 1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 8:35 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 11:00 PM.

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



September 4, 2014

2014 - - 340

AUTHORIZATION TO SETTLE THE CLAIM IN THE MATTER OF
KLEIN V. TOWN OF HARRISON

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to settle the claim in the matter of Klein v. Town of Harrison in the amount of \$549.00 subject to claimant signing a general release.

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

Adopted by the following vote:

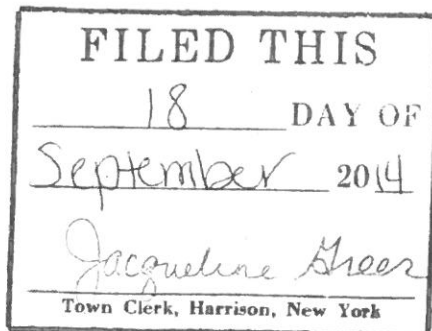
AYES: Councilpersons Amelio, Cannella, Malfitano and Scililano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
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☒ Compt'lr
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☐ Recr'tn
☐ Supvs'r
☐



September 4, 2014

2014 - - 341

AUTHORIZATION TO ENTER INTO A PILOT AGREEMENT WITH PEPSICO AND
DAVELYN REALITY AS PAYMENT IN LIEU OF TAXES

On motion of Councilman Malfitano, seconded by Supervisor Belmont,

it was

RESOLVED to enter into a Pilot Agreement with Pepsico and Davelyn Reality as payment in lieu of taxes and resolution of all open certioraris.

FURTHER RESOLVED that this Agreement settles the following Tax Certioraris as set forth in the Pilot Agreement approved in executive session:

Block	Lot
651	1
651	2
651	3
651	4
651	5
651	6
651	7
651	10
651	11
651	25

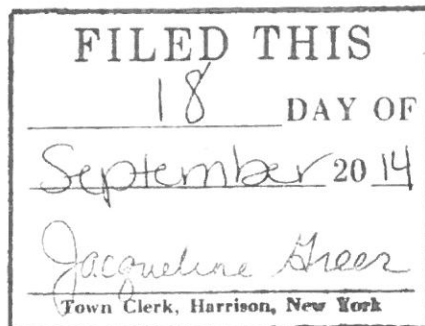
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor, and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

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☐ Benefits
☒ Bldg
☒ Compt'lr
☐ Engrng
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☐ Supvs'r
☐

September 4, 2014

2014 - - 342

AUTHORIZATION FOR THE SUPERVISOR TO ENTER INTO AN AGREEMENT
AS DISCUSSED IN EXECUTIVE SESSION

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to authorize the Supervisor to enter into an agreement as discussed in executive session, the signing of such is conditioned upon the simultaneous signing of the agreement by all parties.

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

Adopted by the following vote:

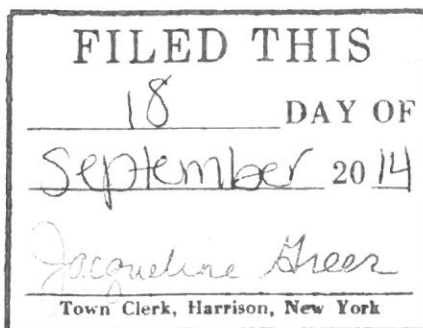
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☐ Compt'lr
☐ Engrng
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☐ Police
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☐ Purch'g
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☐ Supvs'r
☐



September 4, 2014

2014 - - 343a

AUTHORIZATION TO CHANGE THE TITLE OF THOMAS ACAMPORA FROM
RECREATION SUPERVISOR TO RECREATION ASSISTANT

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to change the title of Thomas Acampora from Recreation Supervisor-Senior Citizens to Recreation Assistant (Grade V-D, step 6) and salary from \$62,994.00 to \$52,049.58 effective September 4, 2014.

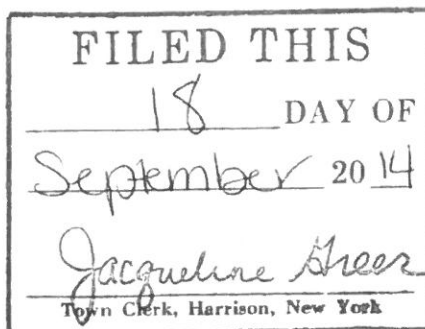
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Personnel Manager and the Superintendent of Recreation.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

☐ Assessor
☒ Benefits
☐ Bldg
☒ Compt'lr
☐ Engrng
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September 4, 2014

2014 - - 343b
AUTHORIZATION TO PAY THOMAS ACAMPORA A STIPEND ON
A BI-WEEKLY BASIS

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to approve a bi-weekly stipend to be paid to Thomas Acampora, Recreation Assistant in the Recreation Department in the amount of \$420.94.

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

Adopted by the following vote:

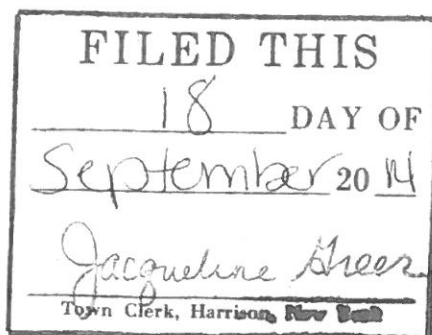
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☒ Benefits
☐ Bldg
☒ Compt'lr
☐ Engrng
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☐ Police
☐ P. Wrks
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☒ Recr'tn
☐ Supvs'r
☐



September 4, 2014

2014 - - 344

AUTHORIZATION TO SETTLE THE CLAIM IN THE MATTER OF
FANELLI V. TOWN OF HARRISON

On motion of Councilman Sciliano, seconded by Councilman Cannella,

it was

RESOLVED to settle the claim in the matter of Fanelli v. Town of Harrison in the amount of \$594.82 subject to claimant signing a general release.

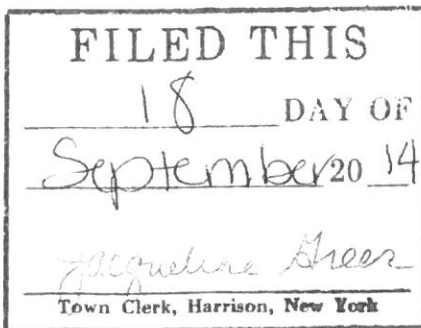
FIRTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

- ☐ Assessor
- ☐ Benefits
- ☐ Bldg
- ☒ Compt'r
- ☐ Engrng
- ☒ Law
- ☐ Police
- ☐ P. Wrks
- ☐ Purch'g
- ☐ Rec'n
- ☐ Supvs'r

September 4, 2014

2014 - - 345

AUTHORIZATION TO SETTLE THE TAX CERTIORARI IN THE MATTER OF
BFG IMMOBILEIEN, 100 MANHATTANVILLE ROAD,
BLOCK 631, LOT 17

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to settle the tax certiorari in the matter of BFG Immobilien, 100
Manhattanville Road, Block 631, Lot 17.

Assessment Year	Assessed Value	Reduction	Reduced Assessed Value
2009	\$800,000	\$208,835	\$591,165
2010	\$800,000	\$193,030	\$606,970
2011	\$800,000	\$136,625	\$663,375
2012	\$800,000	\$194,480	\$605,520
2013	\$800,000	\$241,750	\$558,250
2014	\$800,000	\$292,500	\$507,500

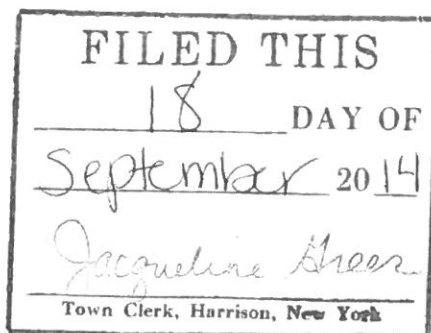
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller the
Assessor, and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

☒ Assessor
☐ Benefits
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☒ Compt'lr
☐ Engrng
☒ Law
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☐ Supvs'r

September 4, 2014

2014 - - 346

AUTHORIZATION TO RAISE CAP ON LEGAL FEES IN THE MATTER OF
CASTALDI V. TOWN OF HARRISON

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to raise cap on legal fees in the matter of Castaldi v. Town of Harrison to \$50,000.

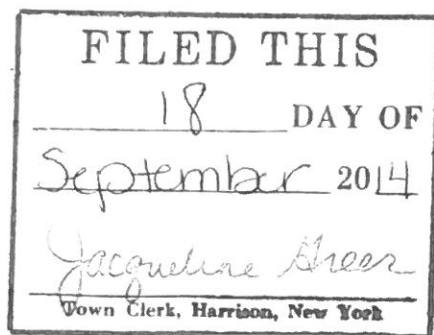
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

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
- ☐ Eng'ng
- ☒ Law
- ☐ Police
- ☐ P. Wrks
- ☐ Purch'g
- ☐ Recr'tn
- ☐ Supvs'r
- ☐

September 4, 2014

2014 - - 347

AUTHORIZATION TO RAISE CAP ON LEGAL FEES IN THE MATTER OF
NYSDEC ADMINISTRATIVE PROCEEDING FOR PROJECT HOME RUN

On motion of Councilman Cannella, seconded by Councilman Malfitano,

it was

RESOLVED to raise cap on legal fees in the matter of NYSDEC administrative proceeding for Project Home Run to \$50,000.

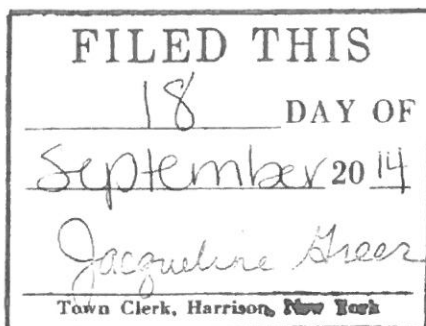
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

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

September 4, 2014

2014 - - 348

AUTHORIZATION TO SETTLE THE TAX CERTIORARI IN THE MATTER OF
DRYLAND GANNETT LLC. 2/4 GANNETT DRIVE, BLOCK 631, LOT 19

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to settle the Tax Certiorari in the matter of Dryland Gannett LLC, 2/4 Gannett Drive, Block 631, Lot 19.

Assessment Year	Assessed Value	Reduction	Reduced Assessed Value
2007	\$670,000	\$147,940	\$522,060
2008	\$670,000	\$141,160	\$528,840
2009	\$600,000	\$139,299	\$460,701
2010	\$600,000	\$126,982	\$473,018
2011	\$600,000	\$83,025	\$516,975
2012	\$600,000	\$128,112	\$471,888
2013	\$600,000	\$164,950	\$435,050
2014	\$600,000	\$204,500	\$395,500

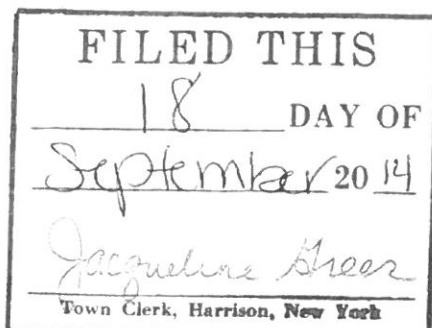
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller the Assessor, and the Law Department.

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

September 4, 2014

2014 - - 349

AUTHORIZATION TO SETTLE THE TAX CERTIORARI IN THE MATTER OF
DRYLAND GANNETT 3 LLC, BLOCK 631, LOT 18

On motion of Councilman Malfitano, seconded by Councilman Cannella,

it was

RESOLVED to settle the Tax Certiorari in the matter of Dryland Gannett 3 LLC, Block 631, Lot 18.

Assessment Year	Assessed Value	Reduction	Reduced Assessed Value
2007	\$619,900	\$250,300	\$369,600
2008	\$619,900	\$245,500	\$374,400
2009	\$519,900	\$193,740	\$326,160
2010	\$519,900	\$185,020	\$334,880
2011	\$519,900	\$153,900	\$366,000
2012	\$519,900	\$185,820	\$334,080
2013	\$519,900	\$211,900	\$308,000
2014	\$519,900	\$239,900	\$280,000

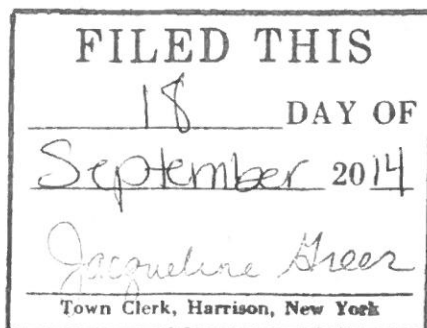
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor, and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

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

September 4, 2014

2014 - - 350

AUTHORIZATION TO COMPENSATE THE CHIEF OF POLICE FOR TIME
SERVED DURING THE 2014 BREAST CANCER WALK

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to compensate Police Chief, Anthony Marraccini for time served during the 2014 Breast Cancer Walk. The expense of which is being borne by the Breast Cancer Association, subject to the receipt of funding from the same.

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

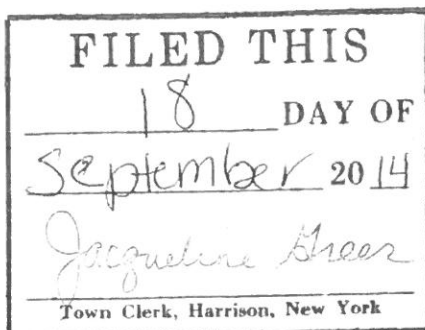
NAYS: None

ABSENT: None

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



Copies to:

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