

April 5, 2018

A regular meeting of the Town Board of Harrison, Westchester County New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on Thursday, April 5, 2018 at 7:00 PM Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont . . . . . Supervisor

Richard Dionisio.....)

Frank Gordon.....). . . . .Councilpersons

Fred Sciliano . . . . . )

MEMBERS ABSENT:

Stephen Malfitano . . . . . )

ALSO ATTENDING:

Frank Allegretti . . . . . Town Attorney

Jonathan Kraut.....Village Attorney

Nelson Canter.....Deputy Town Attorney

Andrea Rendo.....Deputy Village Attorney

Maureen MacKenzie.....Comptroller

Edward Detlefs.....Captain

Anthony Robinson.....Commissioner of Public Works

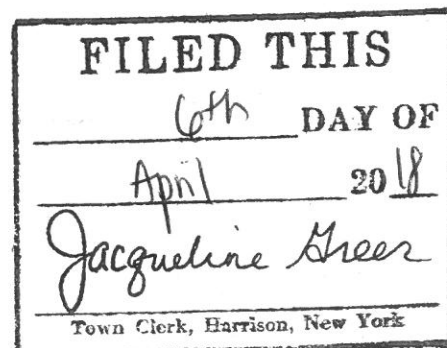
Galina Chernykh.....Library Director

April 5, 2018

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CERTIFICATE OF ACHIEVEMENT FOR WINNING THE 2018 TRI-COUNTY  
CHAMPIONSHIP TOURNAMENT PRESENTED TO  
THE HARRISON 6<sup>TH</sup> GRADE BOYS BASKETBALL TEAM

Supervisor Belmont on behalf of the Board presented Certificates of Achievement to the 6<sup>th</sup> grade boys basketball team for winning the 2018 Tri-County Championship Tournament. Supervisor Belmont introduced the following players: Charlie O'Sullivan, Joseph Gjokaj, Joseph Kritzman, Jordon Lubowitz, Gianluca Santarelli, Chris McLaughlin, Anello Santorelli, Timothy Denet, Michael Iannacchino, Aris Bournazos. The Supervisor then acknowledged the coaches: Aaron Lubowitz, Kevin O'Sullivan and Steve Kritzman. Supervisor Belmont went on to thank the boys for representing Harrison in a great fashion. He had watched the boys play and was very proud of the accomplishment.

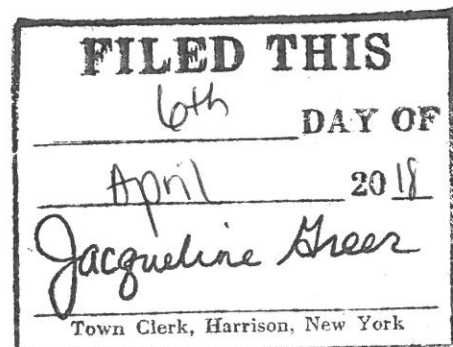


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PRESENTATION BY THE LIBRARY DIRECTOR TO PROMOTE LIBRARY  
EVENTS INCLUDING ONE BOOK ONE COMMUNITY

Library Director Galina Chernykh announced the programs at the Library for the month of April. April is National Library Week. The Library also scheduled our "One Book One Community" read with four other local libraries. This year we are reading the book "1968." Ms. Chernykh invited the community to visit the library and enjoy the scheduled events.



April 5, 2018

2018 - - 119 - - A

PUBLIC HEARING REGARDING A SPECIAL EXCEPTION USE PERMIT FOR  
HARRISON PLAYHOUSE LOFTS

On motion of Councilman Sciliano, seconded by Councilman Gordon, the public hearing was opened.

John Verni, Principal of Verco Properties LLC and Attorney for the project requested a Special Exception Use Permit for the Harrison Playhouse Lofts. On March 27, 2018 the Planning Board approved the Special Exception Use Permit on the amended plan. Previously a larger project with 42 units, six stories and two parcels of property was approved. The amended plan has 36 units, 4.5 stories on 3 parcels of property. There is more open space including a 1,000 square foot patio and a coffee shop on Purdy Street. Mr. Verni thanked the Town Board and Harrison's Land Use Boards for their input on this improved project. Mr. Verni made a video presentation of the project showing the Harrison Playhouse Lofts as it will appear in downtown Harrison.

Supervisor Belmont asked Mr. Verni if the entrance and lobby on Harrison Avenue would be somewhat like what the movie theatre that used to be located there?

John Verni, Principal of Verco Properties LLC said that will be more of a secondary entrance now off Harrison Avenue where the main entrance will be on the court yard on Purdy Street.

Councilman Sciliano asked Mr. Verni what materials they are using on the exterior.

John Verni, Principal of Verco Properties LLC replied that the base will be brick and then in the middle there will be a lighter weight material that we are still evaluating. We are still evaluating the external materials but essentially it moves from darker to lighter and heavier to lighter weight.

Councilman Dionisio asked if they are going to be refurbishing the Harrison Avenue facade on all the stores also in brick?

John Verni, Principal of Verco Properties LLC we have the old photographs and that facade is the preservation portion of the project which is a vintage appearance.

Councilman Gordon said he applauds them in their efforts for green building materials.

Harrison resident Hannah Kenny addressed the Board and voiced her excitement with the project. She asked Mr. Verni what the policies are going to be regarding moving in and out and managing the moving trucks.

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John Verni, Principal of Verco Properties LLC answered we will try to keep it to Saturdays but not Sundays and move in dates are usually the end or beginning of the month.

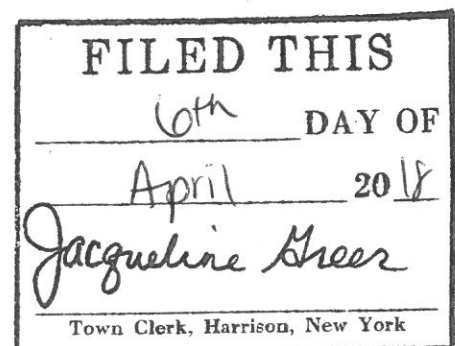
Harrison resident Hannah Kenny went on to say that the reason she was asking is that there is another significant project starting and her understanding is they are going to be moving in and out behind the street and not on the street for the larger moving trucks. She opined that there are enough parking issues in the downtown area and that was the reasoning behind her question.

John Verni, Principal of Verco Properties LLC it would be off of Harrison Avenue. He anticipated the move in would take place on Purdy Street.

Harrison resident Hannah Kenny asked does the town have a permitting process already in place to make sure these things are managed properly.

Village Attorney Kraut replied that the Town does not have policies for when tenants or owners can move in or out. However, the police department has full discretion if a move interferes with sidewalks or roadways. The Town does have ordinances about blocking roads. Regardless of what their policies are it would have to be in a manner that doesn't disrupt people walking and driving through town.

On motion of Councilman Dionisio, seconded by Councilman Gordon, the public hearing was closed.



April 5, 2018

2018 -- 119 -- B  
PUBLIC HEARING REGARDING A SPECIAL EXCEPTION USE PERMIT FOR  
HARRISON PLAYHOUSE LOFTS

On motion of Councilman Dionisio, seconded by Councilman Gordon,

it was

RESOLVED to approve a Special Exception Use Permit for Harrison Playhouse Lofts located at 227-239 Harrison Avenue.

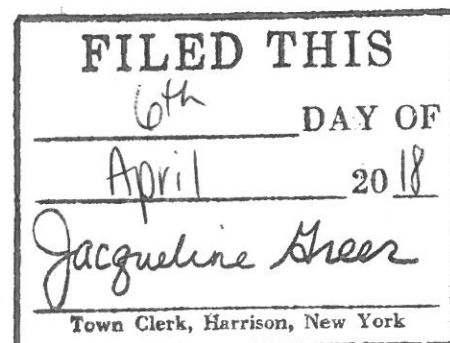
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, Building Inspector and the Town Assessor.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



April 5, 2018

2018 - - 120 - - A  
PUBLIC HEARING REGARDING A SPECIAL EXCEPTION USE PERMIT FOR  
12 NELSON LLC

On motion of Councilman Gordon, seconded by Councilman Sciliano, the public hearing was opened.

Mark Mustacato an Architect from RMG Associates spoke on behalf of the owners of 12 Nelson Avenue. This is an 11 unit multi-family, multi-use building, totaling 12 units with one commercial space. The project has been approved by the Zoning Board. The project required a height variance which was granted. The project has received site plan and special exception use approval from the Planning Board and now Mr. Mustacato was here asking for the same approval from this board tonight.

Councilman Sciliano said I know you are not before the ARB yet but what materials will you be using.

Mark Mustacato from RMG Associates answered the materials are brick and hardy plank siding and hardy panels on the upper stories.

Councilman Gordon said he had more of a technical issue with the project and it's the non-residential space on the first floor which comprises of about 350 square feet if you consider the parking allocated to the 200 square foot commercial space. Mr Gordon's estimate of the percentage on the first floor of non-residential is about 6.4% assuming the first floor is 5,500 square feet.

Mark Mustacato from RMG Associates said the first floor is just the commercial use, lobby and parking. The units are above that. There are no residential units on the first floor.

Councilman Gordon said my issue is a technical one. In the PB district the requirement is that dwelling units are allowed over first floor non-residential uses; I'm just not sure that 6.4% or 10% falls into that use.

Mark Mustacato from RMG Associates said this was debated for months and months with the Zoning Board.

Councilman Gordon said I read through the file and findings and it is not mentioned in either of the findings so I'm not going to vote against the project, but I am going to abstain because I don't feel this was addressed to my satisfaction on this technical point. I would have liked to have seen the issue analyzed in writing by the Zoning Board or Planning Board and I didn't find that in the file.

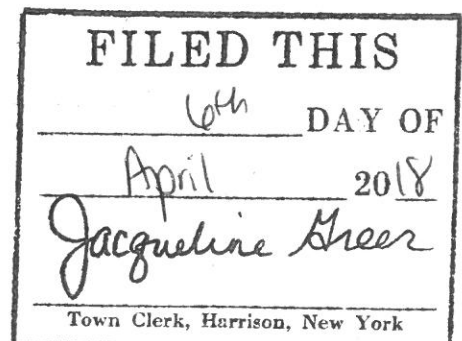
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Mark Mustacato from RMG Associates said this is not different and not unique from other buildings that the Zoning Board has approved in the same zone to accomplish the same mixed use.

Village Attorney Kraut explained this particular application was in front of the Zoning Board so I think if the Zoning Board had an issue with the Building Inspector's interpretation concerning the plan not meeting the use variance of how the first floor was dealt with, that it passed their muster. I think what it does point out is intentional or unintentional this particular provision of the code simply says they can have residential above non-residential which it clearly does. There is nothing in the law that says percentages therefore it complies. The point that I make to the Board is that if there ever was or is in the future an intention for the encouragement of fuller commercial use on the ground floor you would have to articulate that in a zoning amendment.

On motion of Councilman Gordon, seconded by Councilman Sciliano, the public hearing was closed.





April 5, 2018

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PUBLIC HEARING REGARDING A SPECIAL EXCEPTION USE PERMIT FOR  
12 NELSON, LLC

On motion of Councilman Sciliano, seconded by Councilman Dionisio,

it was

RESOLVED to approve a Special Exception Use Permit for 12 Nelson, LLC located at 12 Nelson Avenue.

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

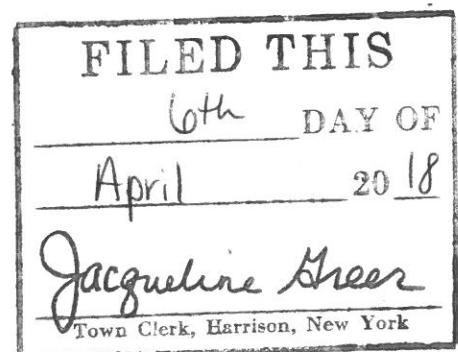
Adopted by the following vote:

AYES: Councilpersons Dionisio and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano

ABSTAIN: Councilman Gordon



April 5, 2018

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APPROVAL TO HIRE EILEEN MAURO AS A PART-TIME EMPLOYEE IN THE  
CENTRAL SERVICES DEPARTMENT

On motion of Councilman Gordon, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Personnel Manager, Debra Scocchera, for approval to hire Eileen Mauro as a part-time employee in The Central Services Department at an hourly rate of \$15.00, effective immediately.

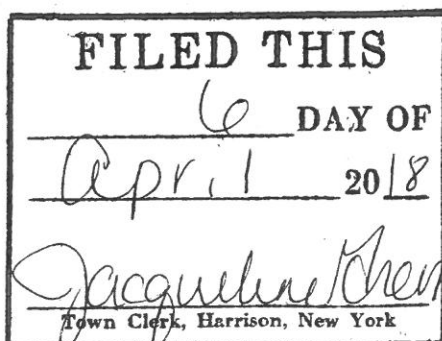
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Personnel Manager.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



April 5, 2018

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AUTHORIZATION FOR THE PURCHASING DEPARTMENT TO ADVERTISE  
AND RECEIVE BIDS FOR THE ROOF REPLACEMENT AND RELATED WORK  
AT THE HALPERN LIBRARY

On motion of Councilman Dionisio, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Town Engineer, Michael Amodeo, for authorization for the Purchasing Department to advertise and receive bids for the Roof Replacement and Related Work at the Halpern Library.

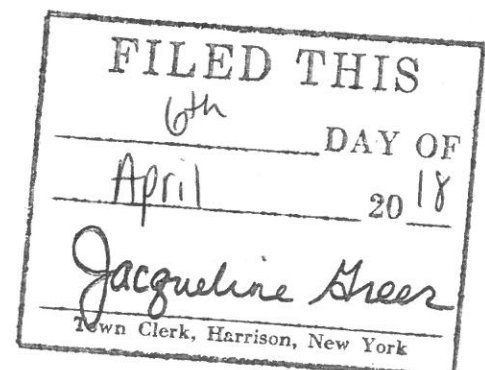
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Purchasing Department, Library Director and the Town Engineer.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



April 5, 2018

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APPROVAL TO RE-APPOINT ANTHONY BOMMARITO TO ANOTHER TERM  
WITH THE BOARD OF ASSESSMENT REVIEW

On motion of Councilman Sciliano, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Town Assessor, Mark Heinbockel, for approval to re-appoint Anthony Bommarito to another term with the Board of Assessment Review.

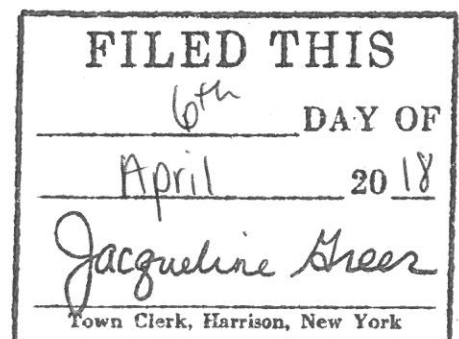
FURTHER RESOLVED to forward a copy of this Resolution to the Town Assessor.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



April 5, 2018

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APPROVAL FOR GERRY SALVO TO ATTEND THE NATIONAL RECREATION  
AND PARKS ASSOCIATION ANNUAL CONFERENCE & EXPOSITION

On motion of Councilman Sciliano, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Superintendent of Recreation, Gerry Salvo, to attend the National Recreation and Parks Association Annual Conference & Exposition in Indianapolis, Indiana on September 24 through September 27, 2018. The cost for registration and travel expenses is not to exceed \$1,875.00. This is a budgeted item.

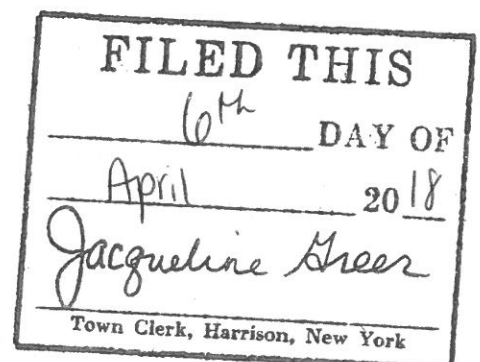
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Superintendent of Recreation.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



April 5, 2018

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AUTHORIZATION TO ACCEPT THE FOLLOWING DONATIONS FOR THE  
BRENTWOOD FUNDRAISER PROJECT

On motion of Councilman Dionisio, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Superintendent of Recreation, Gerry Salvo, for authorization to accept the following donations for the Brentwood Fundraiser Project:

**Banners**

The Lanza/McGurk/Crupi Families	\$450.00
The Bruschi Family	\$450.00

**Donations**

The Petrillo Family Foundation	\$15,000.00
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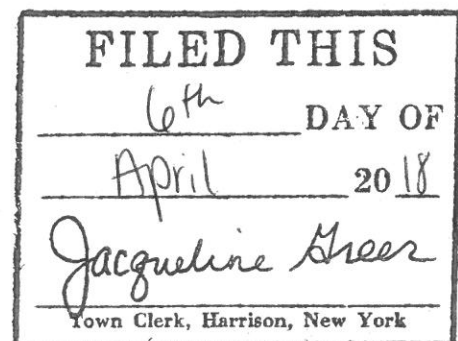
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Superintendent of Recreation.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



April 5, 2018

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APPROVAL OF THE FOLLOWING  
WESTCHESTER JOINT WATER WORKS PROJECTS

On motion of Councilman Gordon, seconded by Councilman Sciliano,  
 it was

RESOLVED to accept the request by Comptroller, Maureen MacKenzie, for approval of  
 Westchester Joint Water Works Projects:

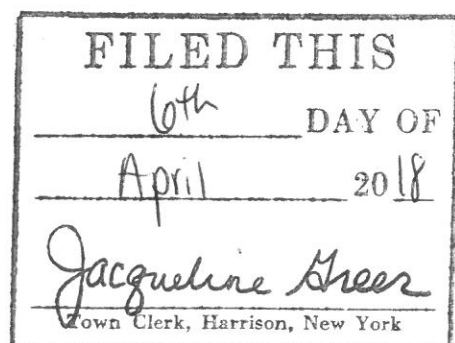
Auth #	Project	Type	WJWW Authorization	TVOH Share	Current Cost Expectation	Revised TVOH Share
A-1308	Water Infrastructure Replacements Related to TOH Paving Prog	Local TOH	\$ 400,000	\$ 400,000	\$ 457,427	\$ 457,427
	Board previously approved \$400,000 need to approve additional					
	\$57,427					\$ 57,427.00
A-1310	New 16" Transmission Main Macy Road/Barry	Joint	\$ 6,400,000	\$ 3,468,800	\$6,750,000	\$ 3,658,500
	Board Previously Apprvd. Total \$3,468,800					
	Need to approve additional \$189,700					\$ 189,700
A-1314	Kenilworth Booster Station	Joint	\$ 2,900,000	\$ 1,528,300	\$3,700,000	\$ 1,949,900
	WJWW increased amount Nov 2017 by \$421,600 for our portion					
	Need to approve additional \$421,600					\$ 421,600.00
A-1330	Douglas Circle Transite Water Main Replacement	Joint	\$ 600,000	\$ 325,800	\$ 499,772	\$ 271,376
A-1337	Water Infrastructure Replacements Related to TOH Paving Program	Local TOH	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
A-1341	Cooper Place Undersized Water Main Replacement	Local TOH	\$ 165,000	\$ 165,000	\$ 190,000	\$ 190,000
A-1342	Purchase Street Pressure Regulator	Joint	\$ 420,000	\$ 235,200	\$ 420,000	\$ 235,200
A-1344	N Barry Ave Pressure Regulator	Joint	\$ 391,000	\$ 218,960	\$ 391,000	\$ 218,960
A-1345	Mamaroneck Ave Pressure Regulator	Joint	\$ 444,000	\$ 248,640	\$ 444,000	\$ 248,640
A-1346	New Kenilworth Water Storage Tank	Joint	\$ 3,000,000	\$ 1,680,000	\$2,500,000	\$ 1,400,000
A-1347	Gardenside Transite Water Main Replacement	Local TOH	\$ 140,000	\$ 140,000	\$ 140,000	\$ 140,000
Total WJWW Project submitted for approval						\$ 3,672,903.00

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.  
 Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
 Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



April 5, 2018

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AUTHORIZATION TO PURCHASE AN  
ACCESS CONTROL SYSTEM AND A VISITOR MANAGEMENT SYSTEM  
THROUGH A+ TECHNOLOGY & SECURITY SOLUTION INC.

On motion of Councilman Dionisio, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Comptroller, Maureen MacKenzie, for authorization for the Town/Village to purchase an Access Control System and a Visitor Management System through A+ Technology & Security Solution INC. The total cost for both systems is \$27,218.55. Funding is available in Capital Account 16GB06 and Town Contingency Line 001-1900-100-4490.

FURTHER RESOLVED that a Federal Grant has been applied for in the amount of \$27,219 and if grant is received the funds will be utilized to pay for said system.

FURTHER RESOLVED for authorization to transfer \$5,625 from Town Contingency Line to Capital Account 16GB06.

FURTHER RESOLVED for the Purchasing Department to issue two purchase orders to A+ Technology & Security Solutions INC. totaling \$27,218.55.

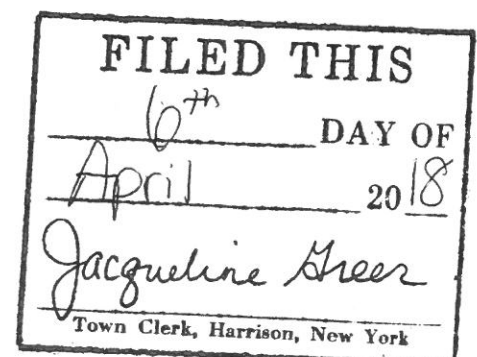
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Purchasing Department.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano





April 5, 2018

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APPROVAL TO USE THE PROCESSING SERVING COMPANY  
INTER COUNTY JUDICIAL SERVICE

On motion of Councilman Dionisio, seconded by Councilman Sciliano,

it was

RESOLVED to accept the request by Building Inspector, Rocco Germani, for approval to use the processing serving company, Inter County Judicial Services, 901 North Broadway, Suite 18 White Plains, NY 10603. This is a budgeted item.

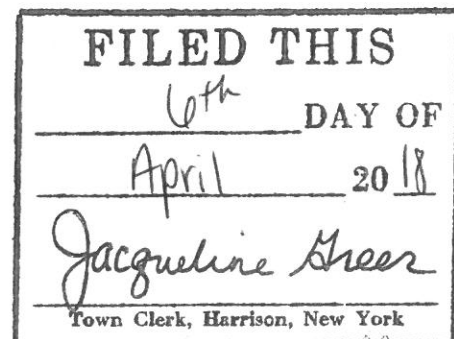
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Building Inspector.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



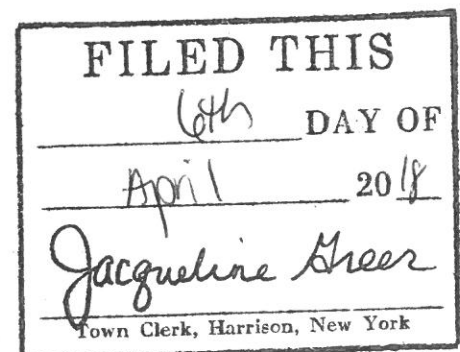
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OLD BUSINESS

Harrison resident Serena Takada addressed the Board. She explained to the Board that she received a letter from the applicant of Playhouse Lofts that the Public Hearing was to start at 7:30 PM. Ms. Takada explained that her family resides on Purdy Street and are concerned about an apartment building being built there.

Village Attorney Kraut replied that he had the opportunity to review the document that you received in the mail. It appears to be the applicant's public notice for the hearing this evening. Therefore, since the Board has already voted to close the hearing and took action it may potentially open up an issue. If this was the notice and you (The Board) closed the hearing before 7:30 the Board may want to reconsider what we do. The Board can certainly listen to Ms. Takada and then discuss it but Mr. Kraut suggested the Board be reflective on his suggestion.

Harrison resident Serena Takada continued. She feels that the building is large and very trendy looking and would be wonderful, but she would like for the Board to consider the neighborhood and the style of houses that are there. Ms. Takada's family lives in one of these houses. It would crush her family to see the current vibe and atmosphere of our neighborhood destroyed by this new structure. She was also concerned about moving trucks on Purdy Street. It is a one-way street and traffic and parking is a concern. Ms. Takada wanted to remind the Board that zoning codes are in place to protect the existing uses of our properties. If our area is currently used for commercial and residential I don't think it's fair to override the zoning law that exists to just support commercial.



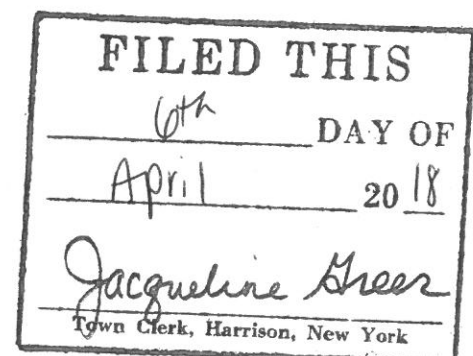
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MATTERS FOR EXECUTIVE SESSION

Litigations: 2  
Personnel: 4  
Contractual: 1

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was recessed to Executive Session at 7:50 PM.



April 5, 2018

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AUTHORIZATION TO ADOPT OFFICIAL POLICIES  
FOR OFFICIALS AND EMPLOYEES OF THE  
THE TOWN/VILLAGE OF HARRISON

On motion of Councilman Sciliano, seconded by Supervisor Belmont,

it was

RESOLVED to adopt official policies for Officials and Employees of the Town/Village of Harrison that include Code of Conduct, Harassment Policy, Social Media and Internet Usage.

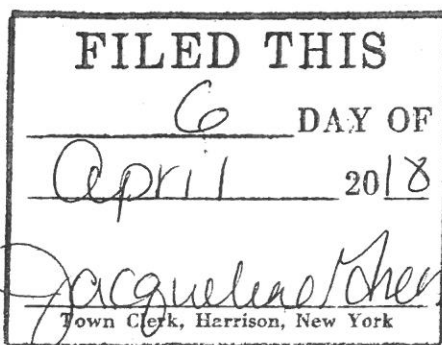
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department, Personnel Manager and the Comptroller.

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano



April 5, 2018

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AUTHORIZATION TO RAISE CAP ON LEGAL FEES

On motion of Councilman Gordon, seconded by Supervisor Belmont,

it was

RESOLVED to raise cap on legal fees in the matter of PEPA v Town of Harrison to \$20,000.00.

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

Adopted by the following vote:

AYES: Councilpersons Dionisio, Gordon and Sciliano  
Supervisor Belmont

NAYS: None

ABSENT: Councilman Malfitano

There being no further matters to come before the Board,  
the Meeting was, on motion duly made and seconded,  
declared closed at 10:01 PM.

Respectfully submitted,

Jacqueline Greer  
Town Clerk

