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 6, 2017 at 7:00 PM Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:	
Ronald Belmont Supervisor	
Marlane Amelio)	
Richard Dionisio)	
Stephen Malfitano) Councilpers	Λns
Fred Sciliano)	OHS

ALSO ATTENDING:

Frank Allegretti Town Attorney
Michael AmodeoTown Engineer
Michael OlseyChief
Maureen MacKenzieComptroller
Jonathan KrautVillage Attorney
Nelson CanterDeputy Town Attorney

2017 - - 138

CERTIFICATE OF ACHIEVEMENT PRESENTED TO HARRISON STUDENT HARLEY DITCHER FOR HER OTUSTANDING COMMITMENT TO SENDING CHILDREN, WITH SERIOUS ILLNESS, TO SUMMER CAMP

Supervisor Belmont introduced Harrison Middle School student Harley Ditcher who organized a fundraiser to send children with life threatening illnesses to summer camp in Maine. Harley raised over \$2,000. Supervisor Belmont presented a Certificate of Achievement to Harley and thanked her for all her hard work.

FILED THIS

THOMAS DAY OF

April 2017

Clerk, Harrison, New York

2017 - - 139 <u>CERTIFICATE OF ACHIEVEMENT PRESENTED TO THE WESTCHESTER</u> <u>COUNTY GIRLS BASKETBALL TEAM OF THE 13/14 YEARS OLD DIVISION</u>

Supervisor Belmont presented Certificates of Achievement Awards to the following members of the Westchester County Girls Championship Basketball Team for 13/14 year olds.

Coach Jacklyn Debald
Coach Olivia Marcuccilli
Coach Raffaele Macchia
Samantha Andrews
Hallie Balo
Olivia Debald
Liana DelliPaoli
Ava Gjokaj
Lauren Homen
Dylan Kohn
Jamie Sandomenico
Madison Scoli

FILED	THIS
7th	DAY OF
- April	20]}
Jacqueline	Green
Town Clerk, Harris	son, New York

2017 - - 140 <u>PUBLIC HEARING RE: 106/108/110 CORPORATE PARK DRIVE PETITION FOR</u> <u>ZONING AMENDMENT (WEGMANS FOOD MARKET)</u>

On motion of Councilwoman Amelio, seconded by Councilman Dionisio, the hearing was opened.

Seth Mandelbaum from the law firm of McCullough, Goldberger & Staudt addressed the Board on behalf of 106/108/110 Corporate Park Drive and Wegman's Food Markets Inc. Mr. Mandelbuam was before the Board in December 2016 regarding the proposed zoning amendment to allow a new use in the teardrop area. The Planning Board is currently doing the Environmental Review under SEQRA. The Planning Board has given the Board a positive recommendation on the zoning amendment. Mr. Mandelbaum gave a brief presentation to the Board.

FILED THIS

The DAY OF

April 2017

Jacqueline Green

Town Clerk, Harrison, New York





106-110 Corporate Park Drive Harrison, New York



Kimley»Horn

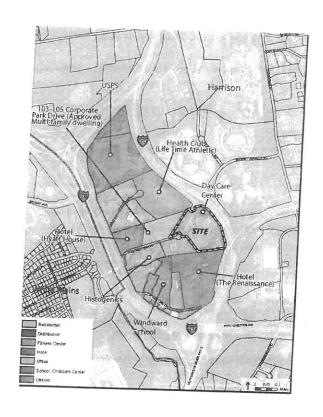


April 6, 2017

Site Location and Vicinity



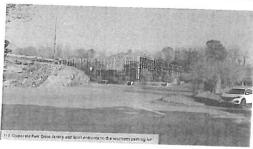
Surrounding Land Uses



Existing Buildings











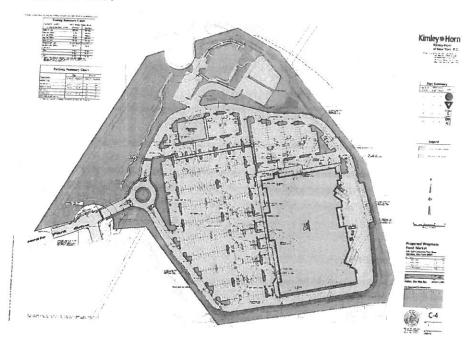
Harrison, New York

Histo For conceptual situatration only. Design dimensions, colors, materiots, and the location of signs and doors are subject to change.

Iliustrative Renderings



Site Plan



Zoning Amendment

- Proposing new definition: SB-0-Stand-Alone Retail
- Proposed revisions to land use items:
 - Setbacks, landscape buffer
 - Building height
 - Signage
 - Off-street parking

Wegmans Harrison, New York



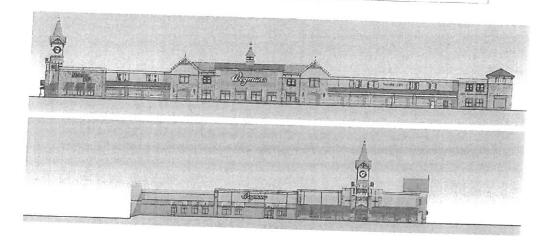
Wegmans Food Markets, Inc.

- Family owned and privately held business
- Founded in 1916
- Headquartered in Rochester, NY
- Operates 92 stores in 6 states
- Employs more than 47,000
- Annual sales in excess of \$8.0 billion
- 2017: Ranked #2 on FORTUNE magazine's list of 100 Best Companies to Work For
 - On list every year since it's inception in 1998
- 2015: Consumer Reports ranked Wegmans #1 Supermarket in America

Employment & Economics

- Hire 400 500 employees with each new store
 - -180 Full-time employees
 - -250 Part-time employees
- Salaried positions include:
 - (1) Store Manager
 - (5) Area Managers
- (20-25) Department Managers, HR, Sous Chefs
- (3) Pharmacists
- Construction will provide 200+ jobs
- New investment in property: excess of \$20 Million

Front (west) and Side (north) Elevations















Harrison, New York

Hate for conceptual iduntration only. Design, dimensions, colors, materials, and the location of sigand doors are subject to change.

Illustrative Renderings





Harrison, New York

Hate: For an expanse Heatration only, Design, dimensions, tolors, materials, and the location of signs and doors are subject to characteristics.

Renderings





Harrison, New York

Note: For conceptual Bustration only. Design, dimensions, colors, maserials, and the location of signs and doors are subject to change.

Illustrative Renderings



2017 - - 140 (continued)

Harrison resident Robert Porto said he liked the idea but was concerned about storm water in a parking lot of that size.

Mike Youngins from the company Kimley Horn, who are Engineers for the project explained that they are providing a state of the art storm water system and a significant underground detention system. They are also going to rehabilitate the pipes that go through the site now. Everything is actually going to be brought up to spec and better than what is there now.

Councilman Malfitano asked how many parking spaces exist today versus what is going to be built?

Mike Youngins, Engineer replied there is going to be a little more parking because the of the building footprints.

Joseph McCoy spoke on behalf of the Westchester County Association and said he cochairs the housing task force. He told the Board that behalf of the Westchester County Association they are in full support of the project and believe it is a great opportunity for Harrison and the local community.

Supervisor Belmont submitted two letters of support of this project for the record. The first one from the Westchester County Association and the second from the Business Council of Westchester.

On motion of Councilman Dionisio, seconded by Councilman Malfitano, the hearing will continue to the May 4, 2017 meeting.

FILED THIS

THE DAY OF

April 2017

Counterline Green

From Clerk, Harrison, New York

2017 - - 141 - - A PUBLIC HEARING RE: SPECIAL EXCEPTION USE PERMIT FOR 307 HALSTEAD AVENUE

On motion of Councilwoman Amelio, seconded by Councilman Malfitano, the hearing was opened.

Peter DiCostanzo, Owner of the property at 307 Halstead Avenue explained that he was requesting approval to add two stories above the restaurant.

Councilman Sciliano said he remembered this was before the Board some time ago.

Peter DeCostanzo said it was all approved eight years ago.

Supervisor Belmont thanked Mr. DiCostanzo for wanting to invest in the town.

Councilman Sciliano said this was a viable development eight years ago.

Councilwoman Amelio asked Mr. DiCostanzo for clarification. She wanted him to confirm that it was two stories above the restaurant.

Mr. DiCostanzo answered yes, it is six units, three on each floor.

On motion of Councilwoman Amelio, seconded by Councilman Dionisio, the hearing was closed.

FILED THIS

The DAY OF

April 2017

Jacqueline Green

Town Clerk, Harrison, New York

2017 - - 141 - - B SPECIAL EXCEPTION USE PERMIT FOR 307 HALSTEAD AVENUE

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve a Special Exception Use Permit for 307 Halstead Avenue, Harrison.

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

Adopted by the following vote:

AYES:

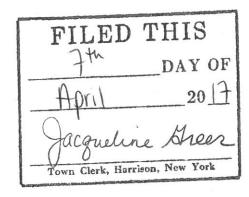
Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:



2017 - - 142 APPROVAL TO HIRE DONNA L. PESCE AS A FULL TIME LIBRARIAN I

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Library Director, Galina Chernykh, to hire Mrs. Donna L. Pesce as a full time Librarian I, at an annual salary of \$50,598.45, effective

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

Adopted by the following vote:

AYES:

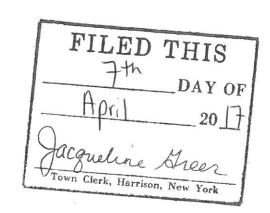
Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:



2017 - - 143 <u>APPROVAL OF AN APPLICATION FOR 207A BENEFITS</u> <u>FROM RAYMOND COLASACCO III</u>

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Personnel Manager, Debra Scocchera, for approval of an application for 207a benefits from Raymond Colasacco III who was injured at a fire call on March 4th, 2017. He was out of work since March 15th and was cleared to return on March 27th, 2017.

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

Adopted by the following vote:

AYES:

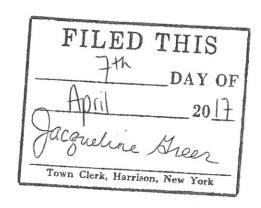
Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:



2017 - - 144 APPROVAL OF AN ADDITIONAL 90 DAY EXTENSION FOR FINAL SPECIAL EXCEPTION USE PERMIT APPLICATION FOR 3040 WESTCHESTER AVENUE

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Seth Mandelbaum of McCullough, Goldberger & Staudt, LLP, for authorization of an additional 90 day extension, until August 3, 2017 of a Final Special Exception Use Permit Application for 3040 Westchester Avenue.

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

Adopted by the following vote:

AYES:

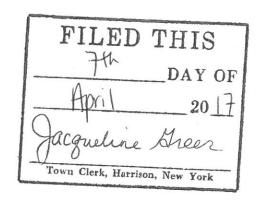
Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:



2017 - - 145 <u>AUTHORIZATION OF THE JEWISH COMMUNITY CENTER OF HARRISON TO</u> <u>USE THE MOBILE STAGE FOR A CONCERT</u>

On motion of Councilwoman Amelio, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Rabbi Eytan Hammerman, of the Jewish Community Center of Harrison, for authorization to use the mobile stage for a concert to be hosted on Wednesday, June 7th at 2 Century Trail.

FURTHER RESOLVED to forward a copy of this Resolution to the Superintendent of Recreation and Rabbi Eytan Hammerman.

Adopted by the following vote:

AYES:

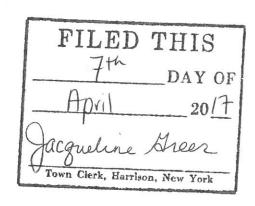
Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:



2017 - - 146 AUTHORIZATION TO ACCEPT A DONATION TO HARRISON FOOD PANTRY

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to accept the request by Director of Community Services, Nina Marraccini, for authorization to accept the following donation for the Harrison Food Pantry:

\$131.00 from the Jewish Community Center of Harrison \$128.00 from a collection box at Pizza 2000 \$50.00 from Harrison Presbyterian Church

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, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:

None

THIS

2017 - - 147 <u>AUTHORIZATION FOR RYE RECREATION TO USE THE MOBILE STAGE</u>

On motion of Councilwoman Amelio, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Superintendent of Recreation, Gerry Salvo, for authorization for Rye Recreation to use the mobile stage for an event being held at Rye Recreation Park, 281 Midland Road, on Saturday, June 24, 2017 from 1:00 pm to 5:00 pm. Insurance will be submitted.

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

Adopted by the following vote:

AYES:

Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:

None

FILED THIS

DAY OF

April 2017

Jacqueline Green

Town Clerk, Harrison, New York

2017 - - 148 APPROVAL OF A 90 DAY EXTENSION OF FINAL SPECIAL EXCEPTION USE PERMIT APPLICATION FOR 526-530 ANDERSON HILL ROAD, PURCHASE

On motion of Councilman Dionisio, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by James Staudt, of McCullough, Goldberger & Staudt, LLP, for a ninety (90) day extension, until July 26, 2017, of Final Special Exception Use Permit Application for 526-530 Anderson Hill Road, Purchase.

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

Adopted by the following vote:

AYES:

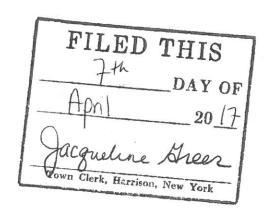
Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:



2017 - - 149 APPROVAL TO ATTEND A 2 DAY SEMINAR ON SOLAR PANEL VALUATION

On motion of Councilwoman Amelio, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Assessor, Mark Heinbockel, for approval to attend a 2 day seminar on Solar Panel valuation. The cost of the seminar will not exceed \$750.00 and is a budgeted item that will satisfy the annual educational requirements set forth by the State of New York.

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

Adopted by the following vote:

AYES:

Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:

None

FILED THIS DAY OF own Clerk, Harrison, New York

2017 - - 150 <u>APPROVAL TO ESTABLISH UNDER CHAPTER 198</u> <u>ENTITLED SECONDHAND DEALERS OF THE TOWN CODE,</u> <u>AN APPLICATION FEE IN THE AMOUNT OF \$200.00</u>

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Supervisor Belmont to establish, under Chapter 198 entitled Secondhand Dealers of the Town Code, an application fee in the amount of \$200.00.

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

Adopted by the following vote:

AYES:

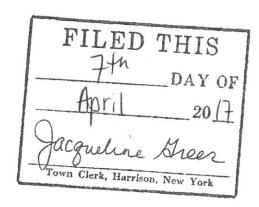
Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:



2017 - - 151

APPROVAL FOR PURCHASING EMPLOYEES TO ATTEND THE NEW YORK STATE ASSOCIATION OF MUNICIPAL PURCHASING OFFICIALS (SAMPO) ANNUAL CONFERENCE

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Comptroller, Maureen MacKenzie, for authorization for purchasing employees Gail Frohlich and Opal McLean-Douglas, to attend the New York State Association of Municipal Purchasing Officials (SAMPO) annual conference in Albany, NY from May 2 through May 5, 2017. The cost is not to exceed \$1,400.00 and funds are available in budget line item 001-1345-100-0406.

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

Adopted by the following vote:

AYES:

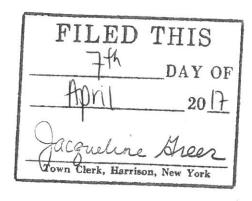
Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:



2017 - - 152 <u>APPROVAL FOR A BUILDING PERMIT APPLICATION FOR</u> <u>43-45 ELLSWORTH AVENUE, BLOCK 265, LOT 35</u> WHICH IS LOCATED WITHIN FEMA DESIGNATED FLOOD PLAINS

On motion of Councilman Sciliano, seconded by Councilman Dionisio,

it was

RESOLVED to approve a building permit application for 43-45 Ellsworth Avenue, Block 265, Lot 35, located within FEMA designated flood plains as follows:

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

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

- The existing FEMA Flood Plain Elevation at this property is 63.7 feet (NGVD 1988), as shown on the FEMA Flood Insurance Study dated September 28, 2007
- 2. The proposed First Floor Elevation shall be 71.5 feet as shown on site plans revised February 12, 2013, prepared by George Mottarella, P.E.
- 3. The proposed Garage Floor Elevation shall be 62.5 feet as shown on site plans revised February 12, 2013, prepared by George Mottarella, P.E.
- 4. As reflected in the above mentioned plan, there shall be no grade change permitted on this property.
- 5. An as-built survey from a New York State Licensed Surveyor will be required. The as-built shall include the flood plain elevation, and all floor elevations. As-built must also show compliance with Town building height regulations, as well as surface information verifying no grade change. This survey must be submitted to and approved by this department prior to issuance of a Certificate of Occupancy.
- 6. In order to verify the structure and all utilities have been built safely above the Base Flood Elevation, an Elevation Certificate must be submitted and approved by the Engineering Department prior to issuance of a Certificate of Occupancy.
- 7. Flood resistant materials must be used within all areas permitted below the Base Flood Elevation. All building materials and utilities below this level must be certified by the design professional upon completion of construction.

8. Enclosed areas within a Floodplain are designed to be flooded, and can be used only for parking vehicles, storage, or access to the elevated living area. A Non Conversion agreement must be submitted and signed by the property owner prior to issuance of a Certificate of Occupancy.

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

Adopted by the following vote:

AYES:

Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:

None

FILED THIS DAY OF Town Clerk, Harrison, New York

2017 - - 153

AUTHORIZATION TO ACCEPT THE RESULTS FROM THE AUDIT PERFORMED BY O'CONNOR DAVIES, LLP OF CASH RECEIPTS, CASH DISBURSEMENTS AND CASH BALANCES OF JUSTICE COURT ACCOUNTS

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Court Clerk, Jacqueline Ricciardi, for authorization to accept the results from the audit performed by O'Connor Davies, LLP of *Cash Receipts, Cash Disbursements and Cash Balances* of Justice Court Accounts for the calendar year ending December 31, 2016.

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

Adopted by the following vote:

AYES:

Councilpersons Amelio, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:

None

FILED THIS

DAY OF

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AGULLO MON

Town Clerk, Harrison, New York

2017 - - 154 AUTHORIZATION TO AUCTION VEHICLES AND EQUIPMENT ONLINE

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

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

Vehicle 2004 Mack RD688P 2002 Mack RD690P 2004 Mack RD688P 2004 Mack RD688P 2002 Mack RD688S 2004 Mack RD688S 2004 Mack CV713 2007 Chevy 2500 2005 Ford Crown Vic 2002 Ford Crown Vic	Vin# 1M2P295CX4M067652 1M2P263C62M033688 1M2P295C64M067650 1M2P295C84M067651 1M2P296C82M060601 1M2AG12C44M011798 1GCHK24027E157094 2FAFP71W35X170224 2FAFP71W62X122423
Equipment 10 ton Air Lift jack	Town Asset # 00377

All vehicles and equipment being auctioned will be listed on the auctioneer's website at http://www.auctionsinternational.com.

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, Dionisio, Malfitano, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:

None

THIS DAY OF Town Clerk, Harrison, New York

2017 - - 155 OLD BUSINESS

Harrison resident Robert Porto said he couldn't believe that this Board approved the Brightview project on Lake Street.

Harrison resident Anja Porto inquired about the flood project. Ms. Porto believed that some time ago the Town Engineer made a presentation about how the flooding was going to be controlled. She asked what happened to that project and if it is it still in the works.

Town Engineer Mike Amodeo said he believed she was referring to the "three dam project." There has been significant work accomplished. We have been working with the Army Corp of Engineers, the Department of Environment Conservation, and looking at outside funding sources. There are many aspects of this job being considered along with a completion date.

FILED THIS

The DAY OF

April 2017

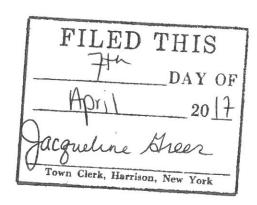
Jacqueline Green

Town Clerk, Harrison, New York

2017 - - 156 MATTERS FOR EXECUTIVE SESSION

Personnel: 3 Litigation: 2 Acquisition of Retail Property: 3

On motion duly made and seconded, with all members voting in favor, the Meeting was recessed to Executive Session at 7:45 PM



2017 - - 157 <u>AUTHORIZATION TO RETAIN THE GABRIELE APPRAISAL COMPANY</u> <u>NOT TO EXCEED \$2,500</u>

On motion of Councilman Sciliano, seconded by Councilman Dionisio,

it was

RESOLVED to authorize the Gabriele Appraisal Company to appraise a property for potential acquisition for an amount of \$2,500. The Funding Source is the Contingency Account.

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

Adopted by the following vote:

AYES:

Councilpersons Amelio, Dionisio, and Sciliano

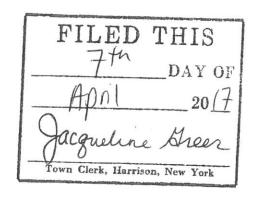
Supervisor Belmont

NAYS:

None

ABSENT:

Councilman Malfitano



2017 - - 158 <u>AUTHORIZATION TO RETAIN THE GABRIELE APPRAISAL COMPANY</u> <u>NOT TO EXCEED \$3,200</u>

On motion of Councilman Sciliano, seconded by Councilman Dionisio,

it was

RESOLVED to approve the authorization to retain the Gabriele Appraisal Company for an appraisal of an easement area condemned by the Town in an amount not to exceed \$3,200.00. Funding is the Pilgrim Road Drainage District.

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, Dionisio, and Sciliano

Supervisor Belmont

NAYS:

None

ABSENT:

Councilman Malfitano

FILED	THIC
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- April	20 17
Jacqueline	
Town Clerk, Harrison	on, New York

2017 - - 159 <u>AUTHORIZATION OF A LAST CHANCE AGREEMENT</u>

On motion of Supervisor Belmont, seconded by Councilman Dionisio,

it was

RESOLVED to authorize the Supervisor and the Commissioner of Public Works to execute a Last Chance Agreement concerning disciplinary action with Department of Public Works employee, William Lockwood.

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

Adopted by the following vote:

AYES:

Councilpersons Amelio, Dionisio, 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 7:50 PM.

Respectfully submitted,

Jacqueline Greer Town Clerk FILED THIS

The DAY OF

April 2017

Acqueline Green

Fown Clerk, Harrison, New York