

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 December 1, 2016 at 7:30 PM Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont Supervisor

Marlane Amelio...)

Stephen Malfitano.....)Councilpersons

Fred Sciliano.....)

ALSO ATTENDING:

Frank Allegretti.....Town Attorney

Jonathan Kraut.....Village Attorney

Maureen MacKenzie.....Comptroller

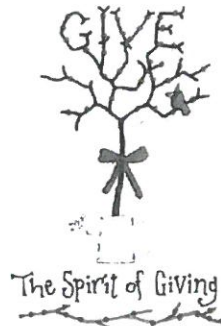
Mike Olsey.....Chief of Police

December 1, 2016

2016 -- 441

PRESENTATION BY SARA PIRRELLO ON THE 2016 HOLIDAY PROJECT

The Holiday Project 2016



Even in Harrison.

The number of Harrison families in financial crisis has increased from 72 families just a few years ago to an estimated 140 families today, up from even last year. Those in need comprise over 360 individuals including the elderly, single parents, and over 130 children, ranging in age from infant to teen. Everyone likes to feel special during the holiday season, no matter his or her age.

Several years ago, the Holiday Project was started to spread holiday cheer to needy families right here in Harrison. This initiative has become the 'feel-good' project of the year that many look forward to contributing to and being a part of. It brings this wonderful community of ours together to help our neighbors in need.

To sponsor one or more families, please send a check payable to "The Holiday Project" for the suggested donation of \$150 per family. Any donation large or small would be greatly appreciated.

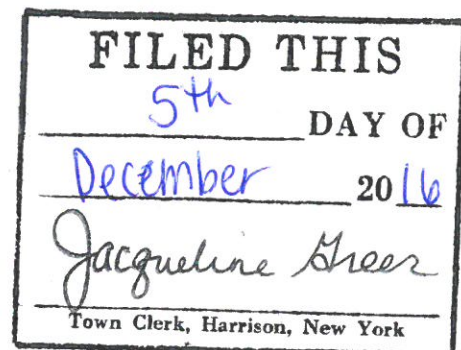
This is the perfect time of year to remember just how much better it feels to give than receive. With that in mind, please help us help our neighbors feel the joy of this year's holiday season. Let's generously demonstrate why it truly is great to live in Harrison through a coming together of community— neighbor helping neighbor.

Thanks so much in advance for your support. Please know how much it is truly appreciated.

Randi Coppola and Sara Pirrello

Please mail your donations to:

Sara Pirrello, C/O The Holiday Project, 40 Pleasant Ridge Road. Harrison, NY 10528



December 1, 2016

2016 - - 442

PROVISIONAL APPOINTMENT OF MICHAEL OLSEY TO POLICE CHIEF

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to provisionally appoint Michael Olsey to Police Chief at an annual salary of \$185,240.00 effective December 1, 2016.

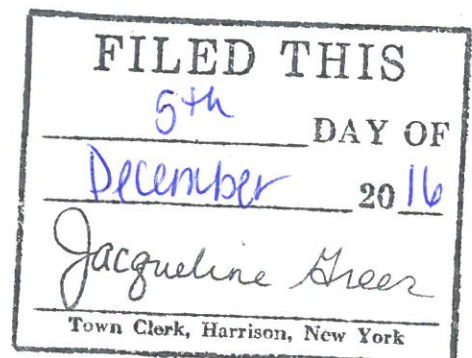
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Personnel Manager, and the Chief of Police.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



December 1, 2016

2016 -- 443

PROVISIONAL APPOINTMENT OF EDWARD DETLEFS TO POLICE CAPTAIN

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to provisionally appoint Edward Detlefs to Police Captain at an annual salary of \$160,162 effective December 1, 2016.

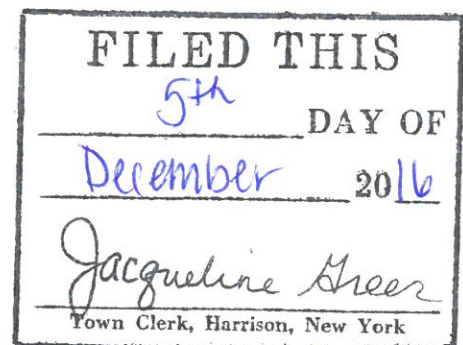
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Personnel Manager, and the Chief of Police.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



December 1, 2016

2016 - - 444

PROMOTION OF JOHN VASTA TO THE RANK OF POLICE LIEUTENANT

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to promote Police Sergeant John Vasta to the rank of Police Lieutenant at an annual salary of \$135,363 effective December 1, 2016.

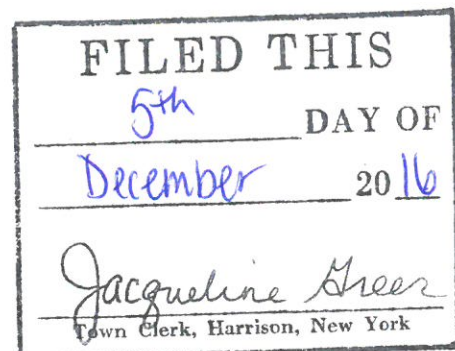
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Personnel Manager, and the Chief of Police.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



December 1, 2016

2016 - - 445

ACCEPTANCE OF CORRESPONDENCE AND REPORTS

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

RESOLVED to accept the following correspondence and reports:

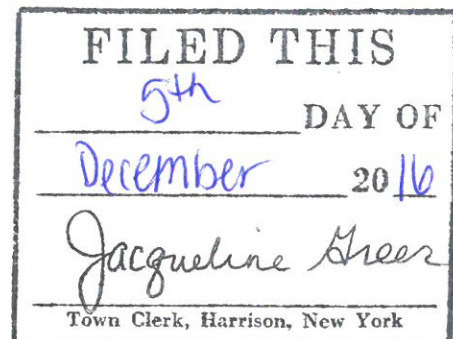
1. Monthly report from the Building Inspector for October 2016.
2. Monthly report from the Acting Fire Marshall for October 2016.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



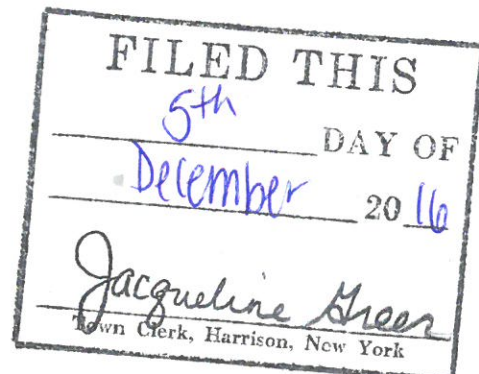
December 1, 2016

2016 -- 446 -- A

PUBLIC HEARING RE: THE 2017 PRELIMINARY BUDGET

On motion of Councilman Sciliano, seconded by Councilwoman Amelio, the hearing was reopened.

Comptroller Maureen MacKenzie read in the following changes from the Preliminary to the Adopted 2017 Budget.



Changes From Preliminary to Adopted Budget 2017
Expenditures

	<u>Preliminary</u>	<u>Adopted</u>	<u>Difference</u>
See Schedule K-2 Purchasing Dept From Intermediate Clerk III-4 To Office Assistant Financial Support VII-2	\$ 38,940.00	\$ 48,586.00	\$ 9,646.00
See Schedule K-3 Town/Village Clerk Salaries Adding a Stipend for Election	\$ 208,858.00	\$ 211,358.00	\$ 2,500.00
See Schedule K-5 Police Dept Salaries	\$ 7,123,177.00	\$ 7,029,267.00	\$ (93,910.00)
See Body Page 18 Police Dept			
125- Training Comp Time Hours	\$ 212,284.00	\$ 201,496.00	\$ (10,788.00)
151-Sick Incentive Payout	\$ 57,049.00	\$ 54,049.00	\$ (3,000.00)
152-Salaries Holiday Payout	\$ 396,258.00	\$ 376,122.00	\$ (20,136.00)
181-Longevity	\$ 285,699.00	\$ 272,267.00	\$ (13,432.00)
See Body Page 19 Police Dept Benefits			
804-Payment of MTA Payroll Tax	\$ 34,082.00	\$ 33,601.00	\$ (481.00)
830-Social Security	\$ 571,491.00	\$ 562,733.00	\$ (8,758.00)
835-Medicare	\$ 145,349.00	\$ 143,300.00	\$ (2,049.00)
See Body Page 30 Town Employee Benefits			
MTA Payroll Tax	\$ 30,317.00	\$ 30,358.00	\$ 41.00
Social Security	\$ 552,831.00	\$ 553,585.00	\$ 754.00
Medicare	\$ 129,291.00	\$ 129,467.00	\$ 176.00
		Total Town	\$ (139,437.00)
		Expenditure	
Town Revenue Changes			
See Schedule J-2 Town-2770 Miscellaneous Revenue	\$ 1,500.00	\$ 4,000.00	\$ 2,500.00
		Total Town	\$ (136,937.00)
		Net Difference	
See Body Page 38 Village Employee Benefits			
850-Un-Employment Insurance	\$ 5,000.00	\$ 3,000.00	\$ (2,000.00)
See Body Page 38 Village			
907- Transfer to Debt Service	\$ 6,450,323.00	\$ 6,468,798.00	\$ 18,475.00
		Total Village	\$ 16,475.00
		Expenditure	
Village Revenue Changes			
See Schedule J-5 1090-Village Interest and Penalties	\$ 505,000.00	\$ 510,000.00	\$ 5,000.00
		Total Village	\$ 21,475.00
		Net Difference	

See Body Page 45

Water District#2

907-Transfer to Debt Service	\$ 1,168,368.00	\$ 1,243,025.00	\$ 74,657.00
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See Body Page 45

Water District #2 Revenue

2141-WJWW Dist of Earnings	\$ 1,342,835.00	\$ 1,417,492.00	\$ 74,657.00
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See Body Page 51

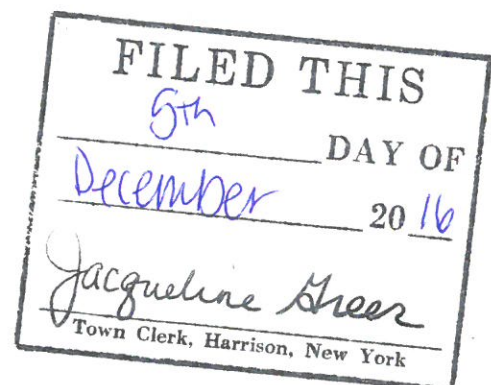
Pilgrim Road Drainage Dist

907-Transfer to Debt Service	\$ 6,168.00	\$ 16,187.00	\$ 10,019.00
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December 1, 2016

2016 - - 446 - - A (continued)
PUBLIC HEARING RE: THE 2017 PRELIMINARY BUDGET

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



December 1, 2016

2016 -- 446 -- B
THE 2017 BUDGET

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

RESOLVED to approve the 2017 Budget as presented and modified.

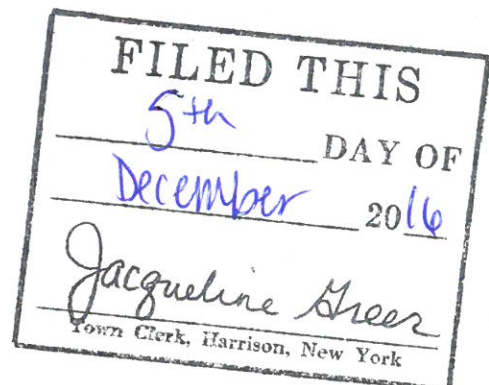
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



December 1, 2016

2016 - - 447

AUTHORIZATION OF A BUDGET MODIFICATION

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

RESOLVED to accept the request by Comptroller Maureen MacKenzie for authorization
of the following Budget Modification:

Increase:
001-0000-020-2680 \$97.00
Town-Insurance of Recoveries

Increase:
001-3310-100-0410 \$97.00
Traffic-Materials and Supplies

Monies received from Pure Insurance Company which represents full and
final payment of property damage to the street sign located at 99 Pleasant
Ridge Road on August 30, 2016.

Increase:
001-0000-020-2680 \$1,835.00
Town-Insurance of Recoveries

Increase:
001-5182-100-0410 \$1,835.00
Street Lighting-Materials and Supplies

Monies received from Traveler's Insurance Company which represents full
and final payment of property damages to the street sign located at 355
Purchase Street on May 22, 2016.

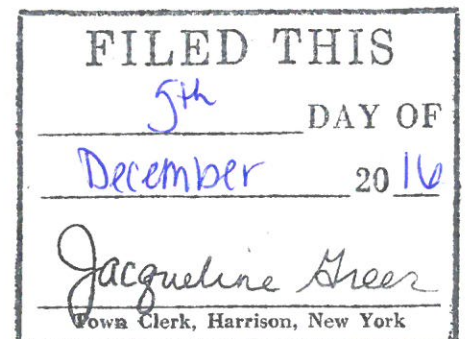
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



December 1, 2016

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OLD BUSINESS

Harrison resident Roy Aletti addressed the Board. He thanked the Town Board and the Mayor for expediting the delivery and set-up of the Doughboy statue and explained that he was proud to live in a town that recognizes Veteran's from all eras.

Supervisor Belmont thanked Mr. Aletti for his involvement in the process.

Harrison resident Rena Hecht addressed the Board with her concerns about the quality of life in our town. She explained that surrounding towns have passed ordinances to protect the quality of life in their towns.

Councilwoman Amelio explained that somehow she was getting the impression that some of the people are thinking the Board is not trying to do anything about the gun store and that was disturbing to her. We have two residents that are working with our Attorneys and I want you to understand that we are working on things. There is a momentum that exists. We understand your concerns.

Harrison resident Matt Benson addressed the Board. He said the residents are your partners; this is how a democratic government works. The people who are concerned about issues actually get involved and work side by side with their elected officials to insure that they are heard. We are looking for a location based ordinance, not ban guns, not disallow the ability to sell guns and not violate second amendment rights but for the town to carefully address and create a location based ordinance.

Councilman Malfitano replied that if it were that simple or easy it would be done. If we can find something we will act on it. The last thing we are going to do is put the Town/Village of Harrison in a position with legal action.

Councilwoman Amelio said one of the things we are working on is a location chart. We are actively looking and investigating everything we can.

Harrison resident Linda Spero asked the Board why wasn't any of this addressed before leases were signed and permits issued. She believes that things were missed somewhere.

Harrison resident Watson Baker said he understands that people are concerned about their children and guns near schools but said a gun is a tool and nothing more. It has always been a tool; in the wrong hands it can be a terrible weapon but it is still regardless a tool.

December 1, 2016

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If you are really concerned and really want your kids safe I suggest you put off duty officers in the school.

Harrison resident Jill Valenti said why during the permitting process nothing was done?

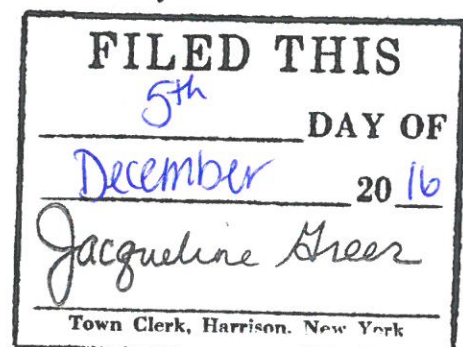
Village Attorney Kraut replied that whether we are reviewing the internal process or not and what that review may determine and what information we may share with the Board is not necessarily something we carry out at a public meeting. Mr. Kraut understood the topic is one for differences of opinion and also for very passionate views. I can tell you that an exhaustive amount of time has been spent, by the law department, looking at various legal issues and what options exist. The Building Inspector cannot change the process because they feel a store is a good or bad use; there has to be some level of understanding when someone applies for a permit that the laws of the town are what need to be followed. The law department remains completely open minded for people coming forward with actual cases that are supported by law. We are tending to see, repetitively, is just the opposite. We will continue to look at it and come to the Board with information as we have it. I would suggest that if folks have ideas put it in writing, we have gotten a lot of interesting comments in writing and have looked at every single one of them. That is a much more constructive way to engage. We are not going to answer questions back and forth from the podium.

Harrison resident Jill Valenti said she has been in touch with Rye Brook and they have their first draft of gun shop legislation and that is being proposed December 13th. It is difficult as a citizen to look at a neighboring town that has moved so fast on something.

Village Attorney Kraut said I learned over time that just because someone proposes a law or adopts a law doesn't make it constitutional. We are aware of this and we are watching it and we are going to continue to watch it.

Harrison resident Mary Toulouse asked what is the status of security and safety for our children and community members? Is there a plan in place?

Village Attorney Kraut said we have an extraordinarily active police department; we have full time assigned community police officers assigned to the downtown areas. I have a high degree of confidence that our police department will be vigilantly watching any new store. Other then the Chief making a comment that we are aware of, certainly we would not discuss publically any plans that we have that are specific to safety for obvious reasons.



December 1, 2016

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Harrison resident Maggie Winter asked the Board that if we have questions about this man and whether he was operating a legal gun store out of his home; are you telling me you are not going to answer that?

Village Attorney Kraut replied, that is right.

Harrison resident Maggie Winter asked the Board why if the citizens that have elected you are not allowed to have answers about the way things work in the town? How can I get answers to these questions? We want to know these answers so we can feel more comfortable with the processes that go on in the town.

Village Attorney Kraut replied he was not saying you can't get an answer to your question; rather he was saying it is not done at a town board meeting. We can have a discussion about this information but we are not going to do it at this meeting.

Supervisor Belmont replied that his office is opened every day and he calls everyone back; it is a walk-in environment. Come and see us anytime.

Councilwoman Amelio explained that our e-mails are on the Town website. You are free to call us. We are all assessable to you.

Harrison resident Rachel Estroff addressed the Board. She appreciated that the Board has been so accessible and appreciated that the Board has been so responsive. She said it's our role as advocates, citizens and residents to continue to press forward. I hope you see it as a partnership where we engage in our role and you have to do your due diligence.

Harrison resident Matt Benson addressed the Board. He wanted to make a suggestion. When citizen's write with reasonable notes on this issue I suggest that members of the council respond to them; I have yet to get a response.

Councilman Malfitano said he wanted to respond. We have all received your emails. Anything that has come that is questions, case law and suggestions have all immediately been referred to the law department for their review and comment.

Harrison resident Matt Benson said another suggestion is that the Town Board and the Law Department look at the permitted table of uses and existing ordinances, which prohibit, in the central business district, a newspaper establishment. The last time I looked the notion of Freedom of the Press and Freedom of Speech is well protected under the Constitution. There is an existing ordinance today that says the Building Department, if it is a newspaper establishment, can say it is not a permitted use. I would like you to look at that and adopt that into your thinking about what and what can't be done.

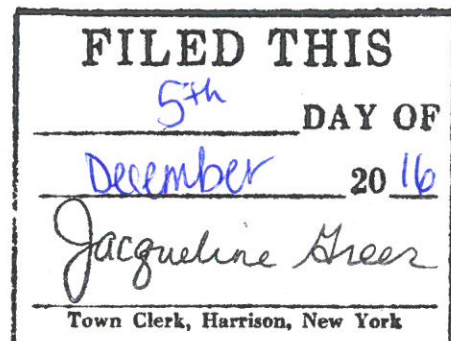
December 1, 2016

2016 - - 448 (continued)

Supervisor Belmont exclaimed he was glad everyone was here and wanted them to know that we have been in contact with neighboring communities and they have yet to contact us back. I find it difficult to believe that Rye Brook is ready to pass a law, I have been in contact with the Mayor and the Village Manager. I have been in contact with the Federal Government, ATF and the Center for Gun Vigilance. I have reached out to the Board of Education and they reached out to me; I said we would love their help and I'm still waiting to hear back. We are not giving up and please realize that.

Harrison resident Jerry Dominus said if he wanted to open a porn shop in Harrison would that be permitted? It is protected speech but are there ways to manage where such speech gets articulated?

Village Attorney Kraut said the short answer is that is one of the places that is being looked at as a reference point for separation and distance restrictions.



December 1, 2016

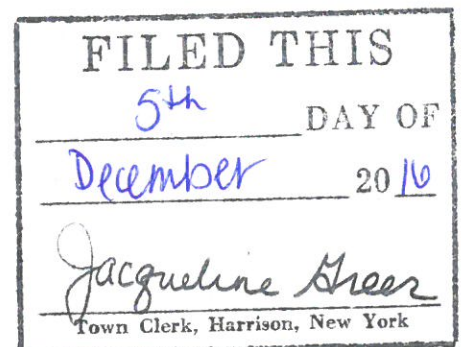
2016 - - 449

MATTERS FOR EXECUTIVE SESSION

Personnel: 10

Litigation: 3

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 9:12PM.



December 1, 2016

2016 - - 450

AUTHORIZATION TO HIRE CENTRAL TREE SERVICE TO PREPARE AN
ARBORIST REPORT IN AN AMOUNT NOT TO EXCEED \$1,000.00

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to hire Central Tree Service to prepare an arborist report in an amount not to exceed \$1,000.00. Funding source is the Pilgrim Road Drainage District.

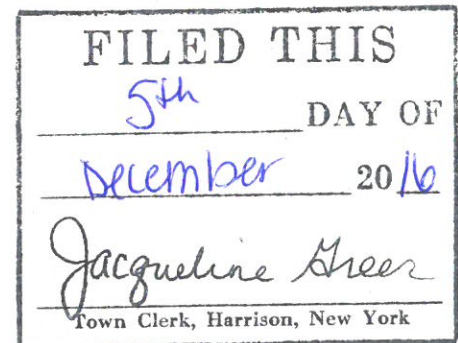
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, and the Law Department.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



December 1, 2016

2016 - - 451

AUTHORIZATION TO APPOINT MARIO BARBAGALLO
TO THE POSITION OF PART-TIME CIVILIAN DISPATCHER
TO THE HARRISON POLICE DEPARTMENT

On motion of Councilman Malfitano, seconded by Councilman Sciliano,

it was

RESOLVED to appoint Mario Barbagallo to the position of Part-Time Civilian Dispatcher at the Harrison Police Department at an hourly rate of \$17.72 effective December 2, 2016 as per Civil Service Guidelines.

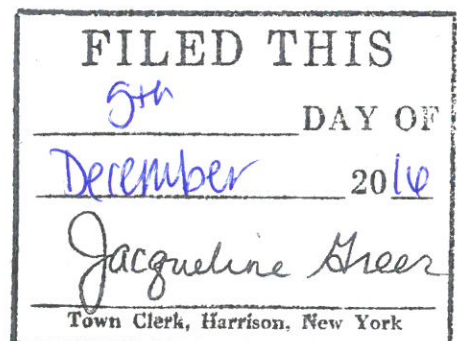
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Personnel Manager, and the Chief of Police.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



December 1, 2016

2016 - - 452

AUTHORIZATION TO RESCIND TBR 2016 – 274 AND TO
APPOINT LUCELIA LOFFREDO TO THE POSITION OF PART TIME
INTERMEDIATE CLERK AT THE HARRISON POLICE DEPARTMENT

On motion of Councilman Malfitano, seconded by Councilman Sciliano,

it was

RESOLVED to rescind Town Board Resolution 2016 – 274 appointing Lucelia Loffredo to an Alternate Crossing Guard and appoint Lucelia Loffredo to the position of Part-Time Intermediate Clerk at the Harrison Police Department at an hourly rate of \$20.77 effective July 21, 2016 as per Civil Service Guidelines.

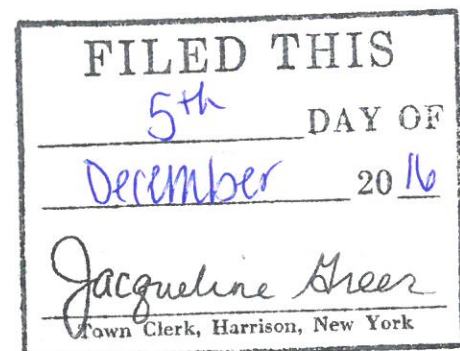
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Personnel Manager, and the Chief of Police.

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout



December 1, 2016

2016 - - 453

AUTHORIZATION TO APPOINT LUCELIA LOFFREDO TO THE POSITION OF
ALTERNATE CROSSING GUARD

On motion of Councilman Malfitano, seconded by Councilman Sciliano,

it was

RESOLVED to appoint Lucelia Loffredo to an Alternate Crossing Guard at an hourly rate of \$20.77 per hour, effective November 28, 2016, per Civil Service Guidelines.

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

Adopted by the following vote:

AYES: Councilpersons Amelio, Malfitano, Sciliano
Supervisor Belmont

NAYS: None

ABSENT: Councilman Stout

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 11:10 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk

