

March 2, 2017

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 March 2, 2017 at 7:00 PM Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont Supervisor

Marlane Amelio)

Richard Dionisio)

Stephen Malfitano) Councilpersons

Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney

Jonathan Kraut Village Attorney

Maureen MacKenzie Comptroller

Nelson Canter Deputy Town Attorney

March 2, 2017

2017 - - 087

PRESENTATION BY THE LAW CENTER TO PREVENT GUN VIOLENCE

I. Introduction

- Allison Anderman, attorney at the **Law Center to Prevent Gun Violence** and Americans for Responsible Solutions
- Law Center was founded by the legal community in 1993 after massacre at a **California law firm**
- Since then, we've worked on commonsense, defensible gun laws at the local, state and federal level
- Last year, merged with **Americans for Responsible Solutions**, led by former Congresswoman **Gabby Giffords** and **Mark Kelly**
- We've been asked to do a **lot more work in NY**
 - o Rye, Rye Brook, Scarsdale, Woodstock, Philipstown, North Hempstead, and Suffolk County
 - o NY native myself. I grew up in **Chappaqua** and went to HGHS.
- Here tonight at the request of many Harrison residents to discuss ways in which Harrison could ensure that gun dealers operating in the community are doing so as safely and responsibly as possible

II. proposed ordinance – One way the Town could effect this is to **subject gun dealers in the Town to sensible, reasonable regulations**

- **Local regulation** of gun dealers operating in a community is necessary because
 - o Gun dealers are the way pretty much all guns enter the consumer market. All guns have to be sold, first, by a gun dealer.
 - o Most gun dealers are law abiding, responsible business owners, but according to the **ATF, the ones who aren't supply a significant number of the guns that are used in crimes**. These so-called "bad apple" dealers allow criminals to purchase guns through straw purchases, or report parts of their

inventory lost or stolen while they actually divert these guns to the black market. (Source, ATF interview in PBS special "Hot Guns.")

- Word circulates quickly who is willing to sell guns to criminals, and criminals go to those dealers
- The ATF has stated in a report, that when gun dealers fail to comply with the law, their access to large quantities of guns makes them a particular threat to public safety
- 2013 report by the Office of the Inspector General found only 62% of FFLs inspected in 2011 were found to be in compliance with federal gun laws
- The International Association of Chiefs of Police recommends local oversight of gun dealers to help reduce the number of corrupt dealers.
- (2) Laws regulating gun dealers at the federal level are few
 - Have to get a federal license, undergo a background check, and pay a fee to become a gun dealer.
 - Once gun dealer, there are record keeping and some reporting requirements, and background check obligations.
 - That's about it
- (3) NYS goes beyond federal law to regulate gun dealers in some ways too but the standards are also minimal
 - Requires dealers to get a separate state license and be subject to a background check
- (4) Local governments in NY can do more to ensure gun dealers are operating safely and responsibly, what I'm here to explain tonight

III. Ordinance Elements – A Harrison ordinance regulating dealers should contain the following provisions. To be clear, if the Town votes to move forward, it can determine after more research whether to include all or just some of these components.

a. Zoning -

i. Prohibits gun dealers from operating as a home occupation or within a residential zone

1. Home-based gun dealers are essentially invisible and much harder for law enforcement and the public to monitor. It's more difficult to ensure they are complying with local, state and federal laws.
2. Gun dealers are a high value target for criminals and gun dealer burglaries, robberies and larcenies were up 30% between 2013 and 2015. Because of the prevalence of children and families in residential neighborhoods, it's a bad idea to have stockpiles of guns around that might be targeted by criminals
3. Gun dealers who are known for selling to straw purchasers are likely to attract criminals to their stores. These are not the kind of retail customer you want coming and out of residential neighborhoods with guns.
4. Furthermore, for similar reasons to why Harrison prohibits a whole host of other types of businesses from operating as home occupations, including veterinarians, because they don't fit the residential character of a neighborhood or will bring traffic to a neighborhood and that's undesirable, it makes sense for gun dealers to be zoned out of residential areas and into commercial or manufacturing zones.
5. We need to remember that guns are lethal weapons that are designed to kill. It's reasonable and modest to regulate their sale out of areas that are predominately inhabited by families, as the town has done for other types of businesses.

6. Harrison would not be the first jurisdiction to zone dealers to appropriate commercial or manufacturing zones. Rochester has an ordinance that does this that Harrison could look to for guidance. Also, 61 jx in CA ban residential or home-based dealers, as does the state of Massachusetts.

ii. Sensitive areas – schools, day cares, playgrounds

1. For all the public safety reasons stated above, it is commonsense to keep gun dealers located away from areas where children congregate. The specific distances is something that the Town should determine after looking carefully is zoning maps and considering what the needs of the community are.
2. This is also a policy that has been widely adopted by CA cities and counties.

iii. Employee Background Checks

1. This provision would require that anyone working at a gun dealership has been subject to a background check. Neither federal or state law require this but, as it is illegal for a person who is prohibited by law from possessing firearms to be selling them, this policy makes perfect commonsense. Without a background check, it's impossible to enforces the federal law that's already on the books.
2. A 2012 poll found that 79 percent of NRA members and 80 percent of non-NRA gun owners support gun dealer employee background checks—a measure also endorsed by the National Shooting Sports Foundation, the trade association for the firearms industry.

3. CA voters overwhelmingly passed this law by voter initiative in Nov.

iv. Premises Security

1. For the reasons discussed above regarding gun dealers being a high value target for criminals, it makes sense to have laws ensuring that gun dealers keep their premises relatively safe from theft and that in the event of theft, law enforcement has as many tools as possible to solve the crime and recover the guns before they enter the criminal marketplace. Unfortunately, no federal or NYS law requires dealers to keep their premises secure.
2. Therefore, this provision would require dealers to meet security standards for their premises which could include maintaining an alarm system and surveillance cameras. It would also require gun dealers to safely store firearms when the store is both open and closed for business.
3. New York City, Rochester and Albany have version of this requirement in effect as do 10 states and many local jurisdictions in CA.
4. These requirements are popular among the public as well. A national poll in 2008 revealed that 88 percent of Americans favor requiring gun stores to keep all guns locked securely to prevent theft; and 74 percent of Americans favor requiring gun retailers to videotape all gun sales. Walmart, the biggest gun retailer in the country, adopted this policy several years ago as well.

v. Law Enforcement Inspections. Local law enforcement would be authorized to inspect firearms dealers' premises, records, inventory, and documents for compliance with local and state laws during normal business hours no more than twice in a six-month period.

1. 2013 report by OIG found that, between 2004 and 2011, FFLs reported nearly 175,000 firearms missing from their inventories.
2. A September 2010 report by Mayors Against Illegal Guns concluded that routine inspections of gun dealers provide law enforcement with more opportunities to "detect potential indications of illegal gun activity, including improper recordkeeping or a dealer whose gun inventory does not match their sales records." The report presented data showing that states that do not permit or require inspections of gun dealers are the sources of crime guns recovered in other states at a rate that is 50 percent greater than states that do permit or require such inspections.
3. Similarly, a 2009 study found that cities in states that comprehensively regulate retail firearms dealers and cities where these businesses undergo regular compliance inspections have significantly lower levels of gun trafficking than other cities.

vi. Inventory Reports. Firearms dealers would be required to submit a report to law enforcement detailing their inventory every six months

1. As discussed above, unscrupulous dealers can traffic firearms by selling the guns illegally and either reporting them lost or stolen, or not even doing that.

2. The rationale for this provision is the same as what I stated in regards to inspections. This oversight allows law enforcement to notice signs of illegal trafficking as soon as possible.
3. This requirement also can help deter illegal behavior before it occurs.
4. Again, it's a modest proposal to require gun dealers to keep track of the lethal weapons they sell.

vii. Restricted Admittance.

1. In stores where firearms sales are the primary business activity, minors who are ineligible to possess firearms would have to be accompanied by adults and people who are prohibited from purchasing firearms would not be permitted in the store.
2. This is especially important if the Town chooses not to require businesses to safely store firearms on their premises to ensure that prohibited people and children do not access unsecured firearms or ammunition.
3. Several jurisdictions in CA have adopted this proposal.

viii. Posted Notices and Warnings. Firearms dealers and ammunition sellers would be required to post warnings about failures to comply with New York State firearms laws, and information about suicide prevention resources

ix. Land Use Permit. Firearms dealers would be required to obtain a land use permit to ensure that the location of the business complies with the jurisdiction's zoning requirements and general plan, and to ensure

that the business operations will not be detrimental to the public health and safety of those nearby.

1. Such a requirement is consistent with the zoning powers of a local government. Allowing the planning board to review the proposed location of a gun dealer to ensure that it fits with the general character of the area, and doesn't pose any specific safety concerns, is well within the purview of the planning board.

IV. Legal Issues – An ordinance drafted in conformity with the policies outlined above is consistent with the Second Amendment and other New York State laws.

a. Second Amendment

- i. The Second Amendment is often raised as a bar to gun violence prevention laws and regulations. However, when the Supreme Court interpreted the Second Amendment, it held that it protects a responsible, law-abiding individual's right to possess a gun in the home for self-defense. Nothing in this modest proposal does anything to impact the ability of a law-abiding responsible person to possess a gun in the home for self-defense.
- ii. The Supreme Court also stated that many gun violence prevention laws were "presumptively lawful." Specifically, the court stated that laws that place "conditions and qualifications on the commercial sale of firearms," such as gun dealer regulations, were presumptively lawful.
- iii. Also, we track all the Second Amendment litigation nationally and of all cases brought challenging gun violence prevention laws, 94% of them have been upheld.

b. Preemption

- i. New York law allows local governments to regulate gun dealers in the ways we've recommended so we feel confident that the Town is on firm legal ground in drafting and enacting this ordinance.
- c. We do understand, however, that the gun lobby is litigious, however. We have an army of pro bono attorneys from the top law firms in the nation who have offered their assistance, including defending local jurisdictions that enact gun violence prevention ordinances. We are very confident that in the unlikely event the town were sued, we would be able to find a top firm to defend to the city pro bono, as we've been able to do for other cities.

Want to close with saying that one of the first cities in California to enact a gun dealer ordinance nearly 25 year ago was a lot like the town of Harrison. It was a suburb of San Francisco. A gun dealer moved into town next to an ice cream shop and had a big stuffed bear in the window. The local kids would get ice cream and go look at the bear at the gun shop after school. This was also right after the law firm massacre and a resident of the town, who was also the mother of a 3 month old baby, had been killed. When the gun dealer moved in, the town's residents realized there were no laws on the books regulating gun dealers so they took action and enacted an ordinance that is still on the books today and prohibits gun dealers in residential areas among other things. Since then, approximately 60 other cities, towns and counties have followed suit and imposed requirements that responsible gun dealers should be following anyway.

V. That you for time and consideration. Now happy to answer questions.

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PRESENTATION BY THE LAW CENTER TO PREVENT GUN VIOLENCE

Supervisor Belmont thanked Ms. Anderson for the presentation and for working with the Board and the Law Office for the past several months.

Councilwoman Amelio questioned Ms. Anderman regarding the ordinances mentioned during the presentation in Albany, Rochester, and New York City and whether they had been challenged in court?

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence responded that she was unaware of any challenges. The Center does track and attempts to stay on top of all gun litigation throughout the country. She was not aware of any cases that have been challenged and none of them have been invalidated by a court.

Councilwoman Amelio asked if Harrison required any other type of business to do background checks?

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence said it was her understanding that alarm security services are required to have back ground checks performed on their employees.

Councilwoman Amelio said she especially enjoyed what Ms. Anderman had to say and was pleased that she spoke about reasonable regulations.

Supervisor Belmont asked Ms. Anderman if this firm, in writing, will defend the town should there be litigation.

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence replied that a partner from the firm spoke to her earlier in the day and said they had reviewed the proposal and researched the law. The Law Center would be happy to stand behind the town and defend them pro-bono. Obviously, it will depend on, after a conflict check, looking at the actual ordinance that is written. Her organization has provided free support to cities and towns all over the country but predominately in California and New York. They have written these ordinances and we would work very closely to help insure that the ordinance is entirely consistent with the law.

Councilwoman Amelio said Ms. Anderman had mentioned gun dealer security. She asked if there's anywhere that spells out exactly what that implies.

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence replied that some states have these requirements at the State level. We could look to California's State Laws and the local laws of several jurisdictions that have imposed these security requirements but also there are other New York jurisdictions that have required gun

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dealers to meet certain security requirements and we could look to them as well for guidance.

Supervisor Belmont asked about "grandfathering" certain individuals who already have stores or are selling out of their homes. How would this law affect them?

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence said it is her understanding that it is completely within the town's legal rights to make a decision as to whether or not to "grandfather" existing dealers or to give them a reasonable amount of time to comply with any new regulations.

Councilwoman Amelio inquired about restricted admittance where in California they restricted minors from entering. Has that restriction been challenged at all?

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence answered that no local governments have implemented that policy, it is not a state law, but it has not been challenged.

Supervisor Belmont queried that New York City has some sound regulations on dealers and their security and they have not been challenged?

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence replied that they have not.

Councilwoman Amelio probed further by asking if there are currently no federal or state laws in place for any gun dealer's store security?

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence answered correct.

Councilman Dionisio asked if this goes beyond guns; like a porn shop or strip club. Are these similar motions that could be made that you are aware of? While we are doing one I would like to do all three.

Allison Anderman, Staff Attorney with the Law Center to Prevent Gun Violence said these adult businesses are protected under the first amendment and it was her understanding from having read case law that it is also possible that towns are within their legal rights to impose reasonable regulations and reasonable zoning restrictions on the location of adult businesses. This was not her area of expertise but she has read cases where those laws have been challenged and upheld.

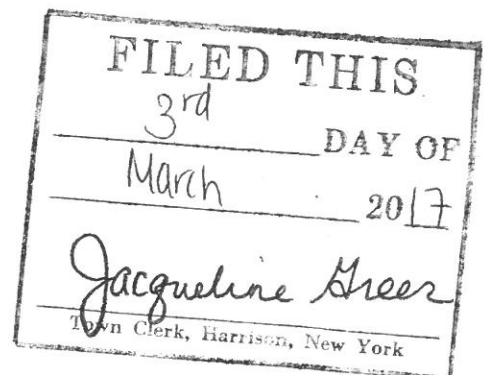
March 2, 2017

2017 - - 087 (continued)

Supervisor Belmont agreed with Councilman Dionisio. It should include adult stores as well. The second-hand dealer's is a little different with a pawn shop or second hand dealer then an adult store. It should all be combined into one regulation if possible.

Councilwoman Amelio once again thanked Ms. Anderman you for the highly information presentation and the Board is very grateful that she took the time out of her schedule to come here. Councilwoman Amelio also thanked Harrison resident Rikki Javitch for her help in arranging the presentation and ensuing discussion.

Councilman Malfitano thought it important for the Center to communicate directly with the Town's law department. Ms. Anderman referenced in her presentation some laws that may exist within the State of New York. The Board is looking for specifics; actual laws that exist today on the books, within the State of New York.



March 2, 2017

2017 - - 088

CONTINUATION OF A PUBLIC HEARING RE: SPECIAL EXCEPTION USE
PERMIT FOR BRIGHTVIEW SENIOR LIVING, 600 LAKE STREET

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to adjourn the public hearing to the March 23, 2017 Town Board Meeting at the request of the applicant.

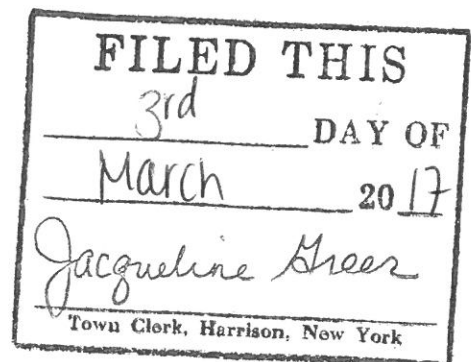
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 089

APPROVAL TO CHANGE THE TITLE OF THE FOLLOWING PART-TIME
EMPLOYEE'S TO CHAUFFER

On motion of Councilman Dionisio, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Personnel Manager, Debra Scocchera, to change the title of the following part-time employee's to Chauffer, effective immediately.

Ronald Bakay

Joseph Marcone

Christopher Pinto

Each employee has completed the required Westchester County application process and has received approval notification from Westchester County on February 17th.

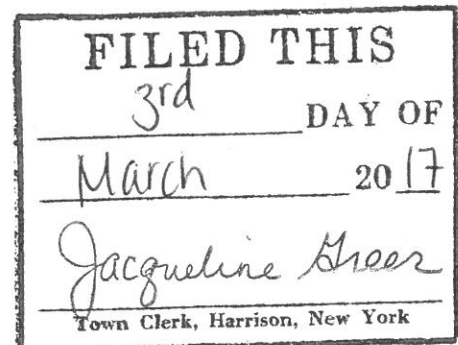
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Personnel Manager.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 090

ACCEPTANCE OF THE RESIGNATION OF LIBRARIAN I CAROLINE MCKINLEY

On motion of Councilman Malfitano, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Library Director, Galina Chernykh, to approve the resignation of Librarian I Caroline McKinley, effective March 13th, 2017.

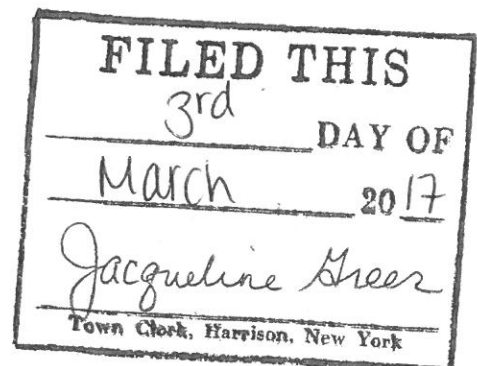
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Personnel Manager and the Library Director.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 091

AUTHORIZATION FOR NAMI TO PLACE RIBBONS ON DESIGNATED TREES
AND LIGHT POLES FOR MENTAL HEALTH AWARENESS

On motion of Councilwoman Amelio, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by National Alliance on Mental Illness of Westchester (NAMI) Outreach Coordinator, Fabiola Tambini-Mallette, for authorization to place ribbons on trees and light poles in the town during the month of May, in an effort to bring attention to mental health awareness.

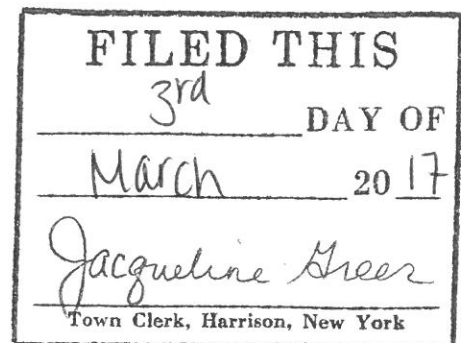
FURTHER RESOLVED to forward a copy of this Resolution to Fabiola Tambini-Mallette, outreach coordinator with NAMI,

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 092

AUTHORIZATION TO ATTEND A CONTINUING EDUCATION SEMINAR
TITLED "CONSTRUCTION CONTRACT WORKSHOP"

On motion of Councilwoman Amelio, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Town Engineer, Michael Amodeo, for authorization to attend a Continuing Education Seminar titled "Construction Contract Workshop" on Thursday, March 23, 2017 in White Plains at a cost not to exceed \$269.00.

FURTHER RESOLVED for the Comptroller's Office to issue a check payable to Half Moon Seminars in an amount not to exceed \$269.00. Funding for this seminar is available in the Engineering Department Operating Budget – Account #001-1440-100-0415.

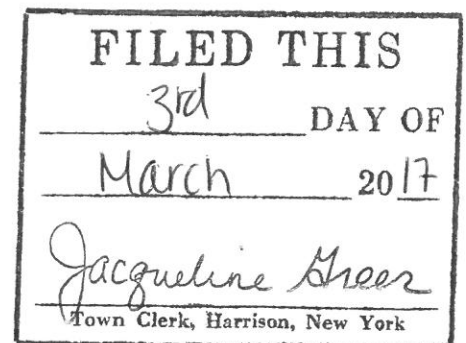
FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer and the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 093

AUTHORIZATION TO HOLD A FREE FAMILY FESTIVAL SPONSORED BY THE
HARRISON PUBLIC LIBRARY FOUNDATION

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Library Director Galina Chernykh for authorization to hold a free family festival, sponsored by the Harrison Public Library Foundation, on Sunday September 10 (rain date – September 17), 2017 from 11 AM-3 PM for the Play2Learn festival celebrating the importance of play in a child's life.

FURTHER RESOLVED to close Heineman Place between Harrison Avenue and Bruce Avenue from 10 AM-3 PM.

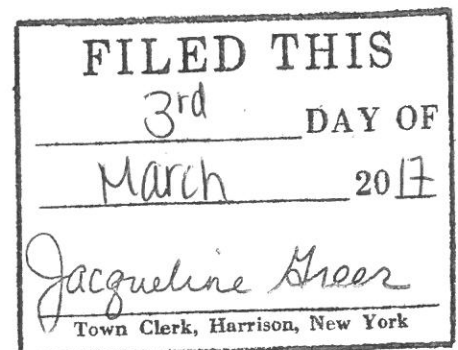
FURTHER RESOLVED to forward a copy of this Resolution to the Library Director and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 094

APPROVAL OF PURCHASE ORDER #370608 ISSUED TO GAMETIME
FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT
FOR MARIIS PARK

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by the Purchasing Department for approval of Purchase Order #370608, issued to GameTime, for the purchase and installation of playground equipment for MaRiis Park, in the amount of \$161,640.13. The purchase is being made through U.S. Communities contract #110179. Funding is available in the Subdivision Recreation Fee Account #081-7020-100-70-26.

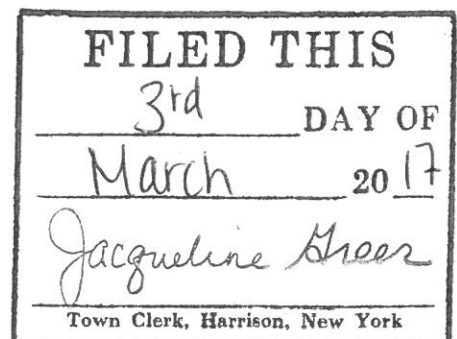
FURTHER RESOLVED to forward a copy of this Resolution to the Purchasing Department, Superintendent of Recreation and the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 095

AUTHORIZATION TO ACCEPT THE FOLLOWING DONATIONS FOR THE
HARRISON FOOD PANTRY

On motion of Councilwoman Amelio, seconded by Councilman Dionisio,

it was

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

\$2,000.00 from an anonymous donor
\$500.00 from an anonymous donor
\$150.00 from Leonard and Nancy Masi

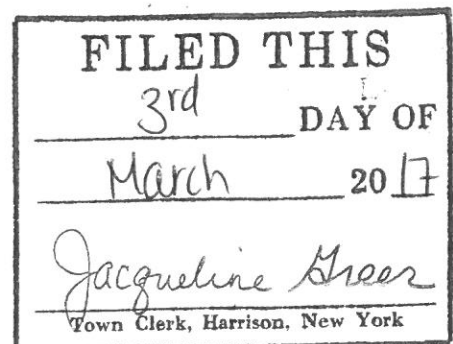
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Director of Community Services.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 096

AUTHORIZATION TO ACCEPT THE FOLLOWING
YEAR END 2016 BUDGET TRANSFER

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Comptroller, Maureen MacKenzie, for the following year end 2016 budget transfer:

INCREASE:

011-1900-100-4461

FIRE DISTRICT #2 JUDGEMENTS AND CLAIMS \$52,187

DECREASE:

011-3411-100-0182

FIRE DISTRICT#2 SALARIES VAC/RETIREMENT \$10,301

11-3411-100-0401

FIRE DISTRICT#2 BLDG.MTCE.&SUPPLIES \$4,168

11-3411-100-0402

FIRE DIST.#2 EQUIP.MTCE.&REPAIRS \$15,000

11-3411-100-0415

FIRE DISTRICT#2 SCHOOLING \$11,000

11-3411-100-0439

FIRE DISTRICT#2 REFERENDUM \$3,000

11-9000-100-0840

FIRE DISTRICT #2 WORKERS COMPENSATION \$8,718

TOTAL \$52,187

To transfer available funds from various budget lines to the judgments and claims line to cover the payment of a certiorari for a property that lies within fire district #2.

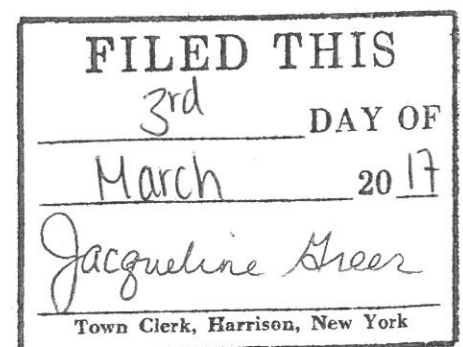
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 097

AUTHORIZATION TO COMMIT FUND BALANCE IN THE AMOUNT OF
\$1,294,000.00 FOR YEAR END 2016

On motion of Councilman Malfitano, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Comptroller, Maureen MacKenzie, to commit fund balance in the amount of \$1,294,000.00 for year end 2016 and segregate these monies within the town general fund for the purpose of funding future capital projects. These funds were derived from court fees and building permit fees.

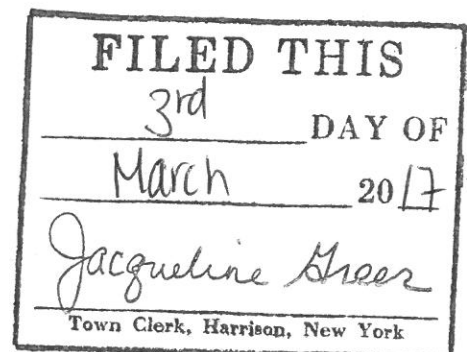
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 098

APPROVAL OF A FARMER'S MARKET SPONSORED BY THE
CHAMBER OF COMMERCE LOCATED IN MARIIS PARK

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Supervisor Belmont for approval of a farmer's market in MaRiis Park, sponsored by the Chamber of Commerce to take place every Saturday from 8:30AM – 1:00PM starting on May 20, 2017 and going through November 18, 2017.

FURTHER RESOLVED that the Supervisor be authorized to sign the agreement after Law Department review.

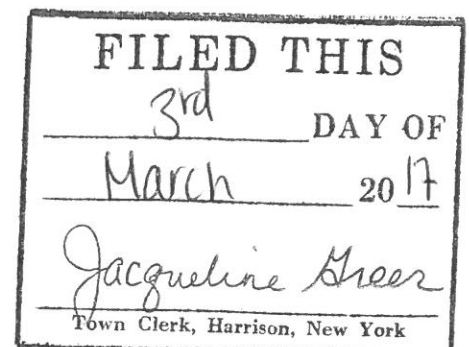
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



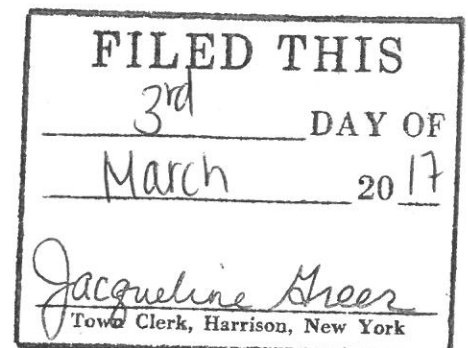
March 2, 2017

2017 - - 099

MATTERS FOR EXECUTIVE SESSION

Land Acquisition: 2
Personnel: 4
Settlement of Claim: 1
Litigation: 2
Tax Certiorari: 5

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 7:44 PM



March 2, 2017

2017 - - 100

AUTHORIZATION TO SETTLE A CLAIM

On motion of Councilman Sciliano, seconded by Supervisor Belmont,

it was

RESOLVED to settle the claim in the matter of Santos vs. the Town of Harrison in the amount of \$997.73 subject to claimant signing a general release.

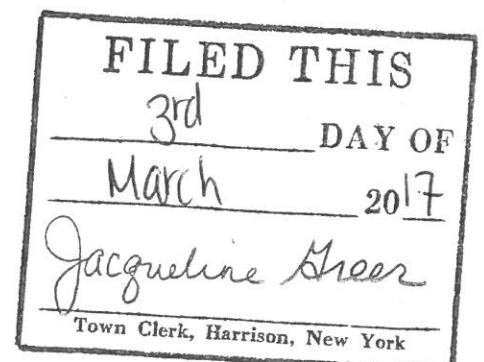
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 101

APPOINTMENT OF ROCCO GERMANI AS BUILDING INSPECTOR

On motion of Supervisor Belmont, seconded by Councilman Dionisio,

it was

RESOLVED to appoint Rocco Germani as Building Inspector at an annual salary of \$145, 669.00, effective immediately. The appropriate Certification list has been canvassed and Civil Service Guidelines have been followed.

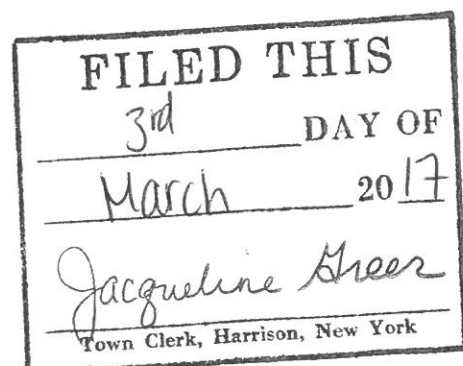
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Personnel Manager, and the Building Inspector.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 102

APPROVAL OF A STIPEND FOR ROCCO GERMANI

On motion of Supervisor Belmont, seconded by Councilman Dionisio,

it was

RESOLVED to pay a stipend in the year 2017 to Rocco Germani in the amount of \$22,000.00, for performing duties as Acting Fire Marshall.

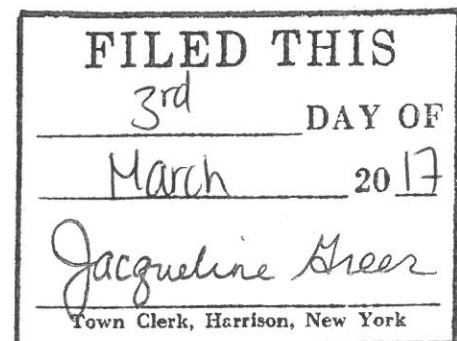
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Personnel Manager, and the Building Inspector.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 103

AUTHORIZATION TO RAISE CAP ON LEGAL FEES

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to raise cap on legal fees in the matter of Barrett vs. Town of Harrison to \$15,000.00.

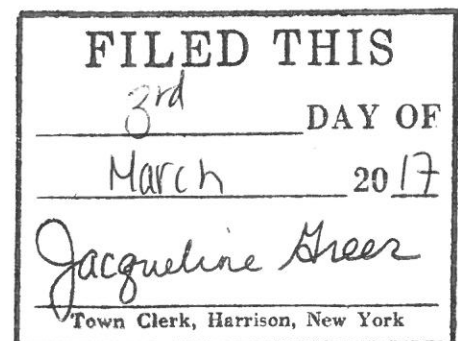
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 104
AUTHORIZATION TO SETTLE A TAX CERTIORARI
161 WOODLANDS ROAD

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to settle Tax Certiorari in the matter of Steiner, 164 Woodlands Road Block 441, Lot 2:

Year	Assessed Value	Reduced Value	Assessed Value Reduction
2016	\$26,500.00	\$22,250.00	\$4,250.00

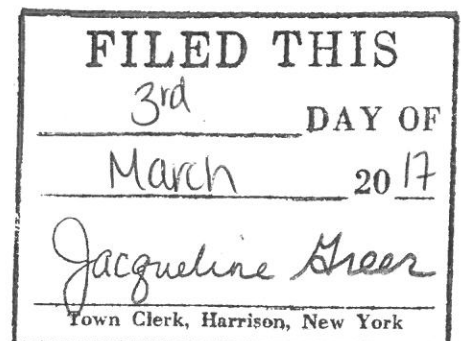
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 -- 105
AUTHORIZATION TO SETTLE A TAX CERTIORARI
255 HALSTEAD AVENUE

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to settle Tax Certiorari in the matter of Cassone, 255 Halstead Avenue
Block 131, Lot 25:

Year	Assessed Value	Reduced Value	Assessed Value Reduction
2015	\$10,300.00	\$8,800.00	\$1,500.00

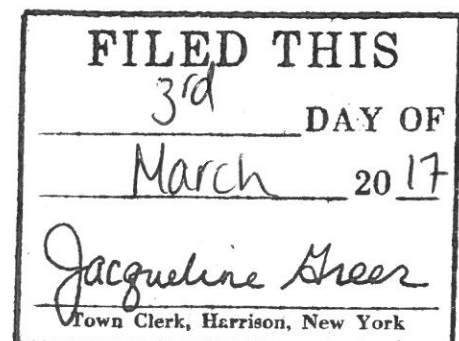
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the
Assessor and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 106

AUTHORIZATION TO SETTLE A TAX CERTIORARI
ST. JOSEPH'S HOSPITAL

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

RESOLVED to settle Tax Certiorari in the matter of St. Joseph's Hospital, 275 North
Street Block 521, Lot 26:

Year	Assessed Value	Reduced Value	Assessed Value Reduction
2011	\$2,024,880.00	\$655,433.00	\$1,369,447.00
2012	\$2,024,880.00	\$623,198.00	\$1,401,682.00
2013	\$2,024,880.00	\$626,780.00	\$1,298,100.00
2014	\$2,024,880.00	\$619,617.00	\$1,405,263.00
2015	\$2,023,430.00	\$573,056.00	\$1,450,374.00
2016	\$2,023,430.00	\$573,056.00	\$1,450,374.00

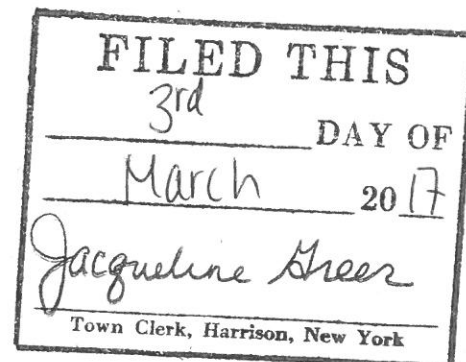
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the
Assessor and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 107
AUTHORIZATION TO SETTLE A TAX CERTIORARI
17 MAGNOLIA DRIVE

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

RESOLVED to settle Tax Certiorari in the matter of Fox Run Builders, 17 Magnolia Drive Block 961, Lot 60:

Year	Assessed Value	Reduced Value	Assessed Value Reduction
2014	\$58,500.00	\$55,350.00	\$3,150.00
2015	\$58,500.00	\$51,200.00	\$7,300.00
2016	\$58,500.00	\$51,200.00	\$7,300.00

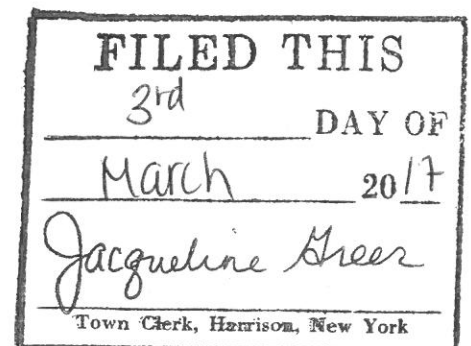
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Assessor and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



March 2, 2017

2017 - - 108
AUTHORIZATION TO SETTLE A TAX CERTIORARI
132 HALSTEAD AVENUE

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to settle Tax Certiorari in the matter of Maynooth Holdings, 132 Halstead Avenue Block 103, Lot 16:

Year	Assessed Value	Reduced Value	Assessed Value Reduction
2010	\$16,700.00	\$12,500.00	\$4,200.00
2011	\$16,700.00	\$14,200.00	\$2,500.00
2012	\$16,700.00	\$13,900.00	\$2,800.00
2013	\$16,700.00	\$14,000.00	\$2,700.00
2014	\$16,700.00	\$14,250.00	\$2,450.00
2015	\$16,700.00	\$13,200.00	\$3,500.00
2016	\$16,700.00	\$13,200.00	\$3,500.00

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, Dionisio, 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 10:18 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk

