

May 3, 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, May 3, 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 . . . . . )

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

Michael Amodeo.....Town Engineer

John Vasta.....Lieutenant

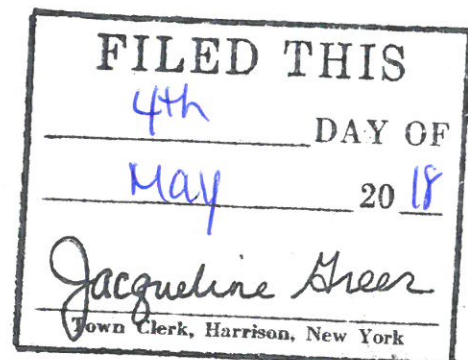
May 3, 2018

2018 - - 160

OLYMPIC SKATER AND HARRISON RESIDENT, ALEXIA PAGANINI  
ON HER RECENT EXPERIENCES SKATING IN  
THE PYEONGCHANG 2018 WINTER OLYMPICS

Supervisor Belmont introduced Harrison resident Alexia Paganini who skated in the XXIII Winter Olympics in PyongChang. Ms. Paganini skated for the Swiss Team and was their number one figure skater.

Harrison resident and Olympian Alexia Paganini thanked the Board and gave a brief account of her experience while skating in PyongChang.



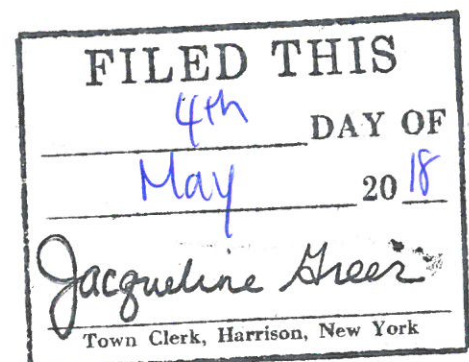
May 3, 2018

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PRESENTATION BY NANCY BARR, COUNTY BOARD OF LEGISLATORS, WITH  
UPDATES ON WESTCHESTER COUNTY

County Legislator Nancy Barr introduced herself to the Board and provided a brief on the new County Executive and the five new County Legislators. She explained that one of the most important issues the County Executive is very interested in is looking at the concept of Shared Services. There is going to be a meeting for the "kick off" of the Shared Services Committee. All the legislators will be in attendance and there has been someone invited from each Municipality. County Legislator Barr addressed a question that Supervisor Belmont recently asked about whether there was a chance the County could move from the recycling program currently in place to where you separate your papers and cardboard from your bottles and cans. The Legislator has been told that there isn't a market for single stream recycling products. Ms. Barr suggested this is something that could be brought up in the Shared Services Committee Meeting.

Supervisor Belmont thanked County Legislator Barr for coming to the Town Board meeting and providing an update.



May 3, 2018

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AUTHORIZATION FOR THE HARRISON JEWISH COMMUNITY CENTER TO  
USE THE TOWN'S PORTABLE STAGE

On motion of Councilman Sciliano, 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 Tuesday, June 5<sup>th</sup> at 2 Century Trail.

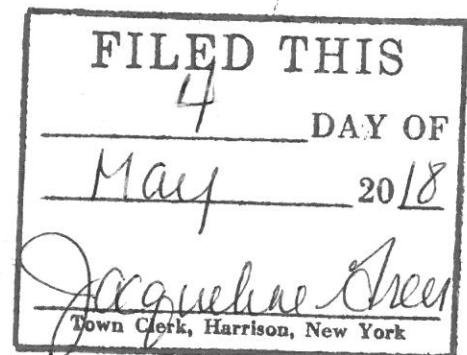
FURTHER RESOLVED to forward a copy of this Resolution to the Superintendent of Recreation, the Commissioner of Public Works and Rabbi Hammerman.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

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AUTHORIZATION TO ACCEPT MONIES RECEIVED FROM  
BIG BEACH TV PRODUCTIONS

On motion of Councilman Malfitano, seconded by Councilman Sciliano,

it was

RESOLVED to accept the request by Superintendent of Recreation, Gerry Salvo, for authorization to accept monies received from Big Beach TV Productions to be used for Celebration Fund and/or Field Improvements in the amount of \$2,000.00.

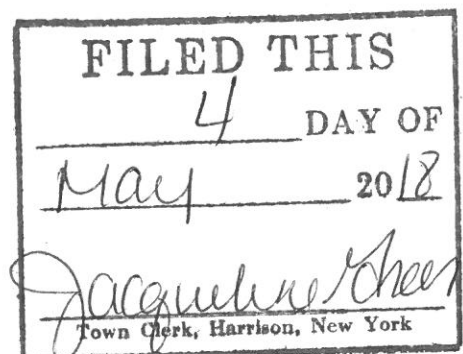
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and Superintendent of Recreation.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

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APPROVAL OF THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN  
THE COUNTY OF WESTCHESTER AND TOWN OF HARRISON FOR  
SNOW AND ICE REMOVAL

On motion of Councilman Sciliano, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Deputy Village Attorney, Andrea Rendo, for approval of the First Amendment to the Agreement between the County of Westchester and Town of Harrison for Snow and Ice Removal.

FURTHER RESOLVED for the Supervisor to execute the Agreement.

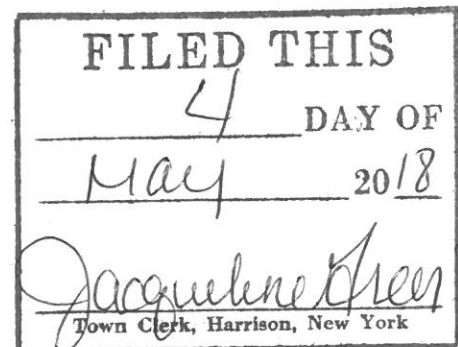
FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

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APPROVAL TO WAIVE SPECIAL PERMIT FEE FOR CALVARY HOSPITAL FOR  
THEIR EVENT AT BRAE BURN COUNTRY CLUB

On motion of Councilman Dionisio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Building Inspector, Rocco Germani, on behalf of Calvary Hospital for approval to waive the special permit fee of \$500.00 for their event at Brae Burn Country Club on July 30, 2018.

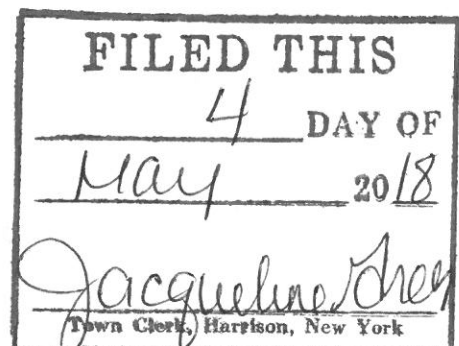
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Building Inspector.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 - - 166

APPROVAL FOR CHIEF FRANK FORGIONE TO ATTEND  
THE LANCASTER COUNTY FIRE CHIEFS EXPO

On motion of Councilman Sciliano, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Chief of West Harrison Fire Department, Frank Forgione, for approval to attend the Lancaster County Fire Chiefs Expo in Harrisburg, PA from May 17-May19 at a total cost of \$900.00 including lodging, travel, food, and expo expenses. Funds are available in budget line #010-3410-406.

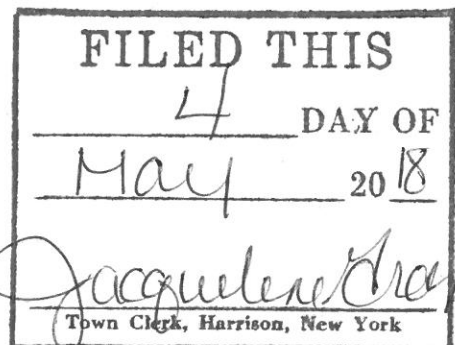
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and Chief of Fire District #2.

Adopted by the following vote:

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

NAYS: None

ABSENT: None





May 3, 2018

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APPROVAL OF THE TOWN'S ANNUAL FIREWORKS DISPLAY

On motion of Councilman Dionisio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Supervisor Belmont for approval for the Town to hold its Annual Fireworks Display on Tuesday, July 3, 2018 at 9:00PM at Halstead and Oakland Avenues. Rain date is July 6, 2018.

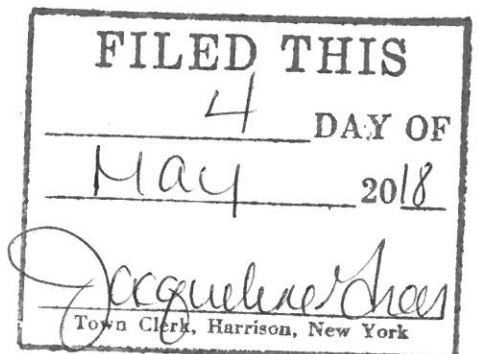
FURTHER RESOLVED to forward a copy of this Resolution to the Acting Fire Marshal, Harrison Police Department and the Harrison Fire Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 - - 168

APPROVAL OF AN EXTENSION OF THE NEW YORK STATE MUNICIPAL  
SNOW AND ICE AGREEMENT FOR THE SNOW SEASON 2018/2019

On motion of Councilman Malfitano, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Village Attorney, Andrea Rendo, for approval of an extension of the New York State Municipal Snow and Ice Agreement for the snow season 2018/2019.

FURTHER RESOLVED for the Supervisor to sign the Agreement Extension and authorize the Commissioner of Public Works to sign the maps. The Law Department reviewed the Agreement and deemed in order.

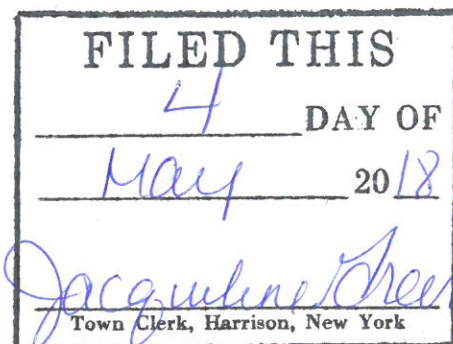
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Law Department and the Commissioner of Public Works.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 -- 169 -- A

APPROVAL OF ADDITIONAL FUNDING FOR WORK RELATED TO THE  
DEMOLITION OF THE RESIDENTIAL STRUCTURE AT 68 PARK AVENUE

On motion of Councilman Malfitano, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Town Engineer, Michael Amodeo, for authorization for additional funding in the amount of \$10,000.00 for work related to the demolition of the Residential Structure at 68 Park Avenue. Funding should be taken from Fund Balance, which will be reimbursed when the property is sold.

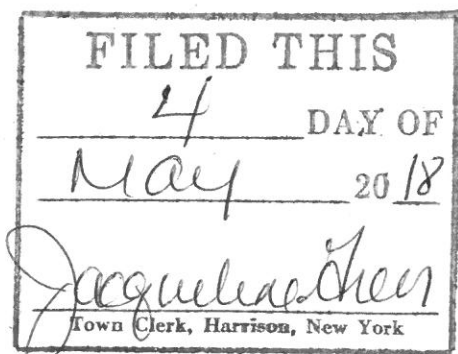
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Town Engineer and Purchasing Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 - - 169 - - B  
APPROVAL OF A BUDGET MODIFICATION

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

RESOLVED to accept the request by Comptroller, Maureen MacKenzie, for  
authorization of the following budget modification.

INCREASE:

001-0000-059-5999

Town Appropriated Fund Balance \$10,000

INCREASE:

001-1900-100-4407

Town Special Items Special Service \$10,000

To appropriate Town Fund Balance and transfer to budget line Special  
Items/Special Services budget line to cover the additional costs associated  
with the demolition of 68 Park Avenue.

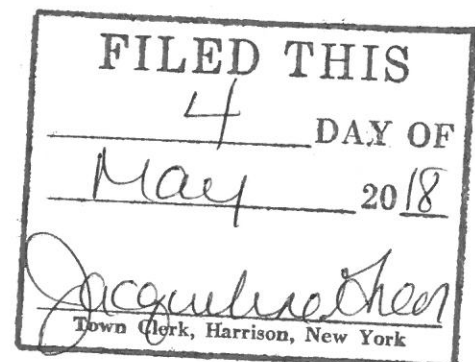
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 - - 169 - - C  
APPROVAL TO ISSUE TWO PURCHASE ORDERS  
FOR WORK ASSOCIATED WITH DEMOLITION  
OF STRUCTURE AT 68 PARK AVENUE

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

RESOLVED to accept the request by Town Engineer, Michael Amodeo, for authorization for the Purchasing Department to issue two purchase orders for work associated with the demolition of the structure at 68 Park Avenue.

1. Environmental Maintenance Contractors in an amount not to exceed \$39,995.00, for asbestos abatement.
2. Niche Analysis, Inc. in an amount not to exceed \$2,200.00, for asbestos air monitoring and visual inspection.

Funding for this work has been previously approved.

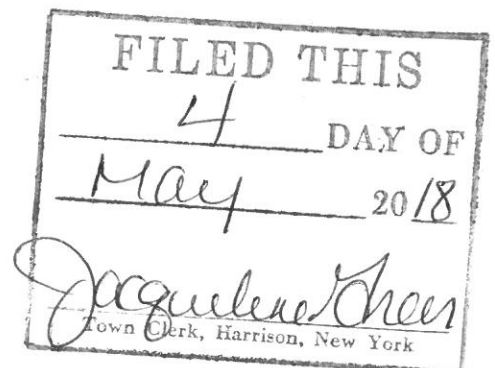
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Town Engineer and the Purchasing Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

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AUTHORIZATION TO ENTER INTO A CONTRACT WITH KONICA-MINOLTA

On motion of Councilman Dionsio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Comptroller, Maureen Mackenzie, for authorization to enter into a contract with Konica-Minolta to manage all of the Town's printers that are not currently on contract with Konica-Minolta or Ricoh. The contract would include toner replenishment, repair and maintenance, and replacement of non-repairable printers, for which the Town would not be charged. The cost is \$717.28 a month or \$8,607.36 annually.

FURTHER RESOLVED the contract has been reviewed by the Law Department and found to be in order.

FURTHER RESOLVED the Supervisor execute said contract.

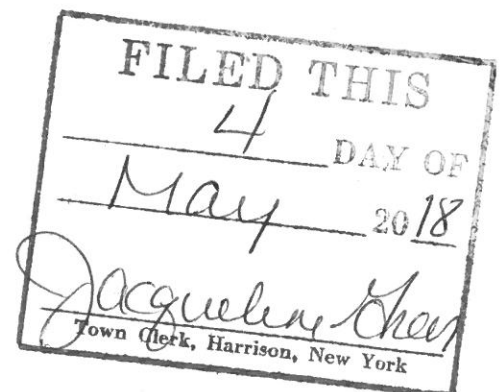
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 - - 171

APPROVAL TO INCREASE PURCHASE ORDER #373212, ISSUED TO  
CON-TECH CONSTRUCTION

On motion of Councilman Malfitano, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by the Purchasing Department for approval to increase Purchase Order #373212, issued to Con-Tech Construction, for additional work identified during renovation of the apparatus bay floor at the Harrison Fire District 2 Building. The purchase order will increase by \$56,431.37, from \$160,750.00 to \$217,181.37.

FURTHER RESOLVED that any expenditures made for this project are to be reimbursed from proceeds of bonds or notes, if the voters of Fire District #2 approve such borrowing. If the bond is not approved, then funding is available in capital account 01F215.

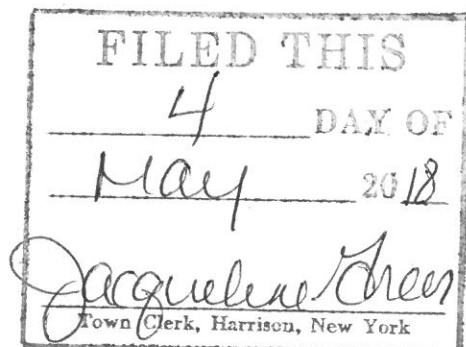
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Purchasing Department and the Town Engineer.

Adopted by the following vote:

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

NAYS: None

ABSENT: None





May 3, 2018

2018 - - 172 - - A

APPROVAL TO REFER THE AVALON PROJECT SITE PROPOSED  
DISCONTINUANCE OF THE "ROADWAY PARCEL" RIGHT-OF-WAY  
TO THE PLANNING BOARD

Mark Weingarten, Partner in the Law Firm of Delbello Donnellan Weingarten Wise & Wiederkehr, LLP addressed the Board on behalf of AvalonBay Communities, Inc. in connection to a request for three items. The first is an amendment to the Town/Village Official Map to discontinue an existing right-of-way over what we call a roadway parcel. The second is a conveyance of the roadway parcel to AvalonBay and the adoption of a local law rezoning the site to Transportation Oriented District. All of the actions will permit AvalonBay to go forward with the construction of the Harrison Train Station Project.

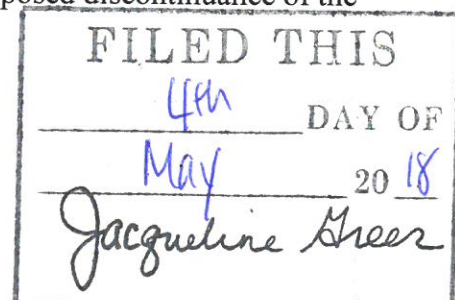
He gave a brief update on the projects status. After many years in the planning stages and months of works by the different Boards, Town Officials and the Town/Village Board who voted to adopt the new TOD regulations. Since that time your Planning Board has issued site plans, subdivision and special permit approval to enable this project to proceed which has been decades in the making.

He appeared before the Board to petition for the final municipal steps necessary for the project to proceed. Board members may recall the project always contemplated that included in the project site was a small adjacent parcel that has been referred to as the "roadway parcel." This parcel is a small piece of Halstead Avenue which consists of 11,174 square feet. Halstead Avenue is designated as a Westchester County road so it was not anticipated that the discontinuance of the public street right-of-way by the Town/Village would be required. However, due to a recent title search, they looked to see who owned the bed and it was inclusive whether it was the town or county. They requested that the County and the Town issue a quick claim deed over to AvalonBay. The County has started its proceeding and the County Planning Board voted earlier this week to endorse our request for the actions being requested by this Board.

On motion of Councilman Sciliano, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Deputy Village Attorney, Andrea Rendo, to authorize the approval to refer the Avalon Project site proposed discontinuance of the roadway parcel right-of-way to the Planning Board.





May 3, 2018

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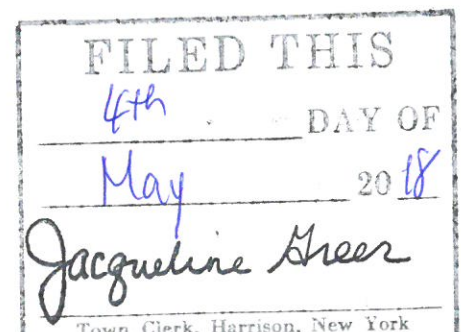
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department and the Planning Board Secretary.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 - - 172 - - B  
AUTHORIZATION TO SCHEDULE A PUBLIC HEARING  
TO REZONE PARCEL ON HALSTEAD AVENUE  
FOR AVALONBAY PROJECT

On motion of Councilman Malfitano, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Deputy Village Attorney, Andrea Rendo, for authorization to schedule a public hearing for June 7, 2018 Town/Village Board Meetings to rezone parcel on Halstead Avenue for the AvalonBay Project.

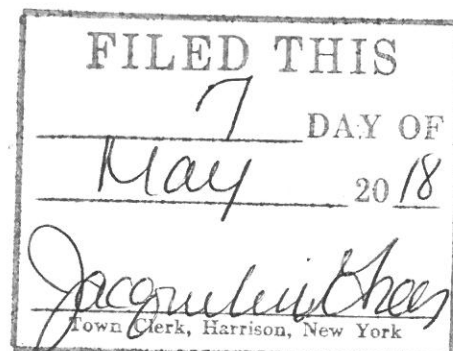
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 -- 172 -- C  
AUTHORIZATION TO SCHEDULE A PUBLIC HEARING ON THE  
DISCONTINUANCE OF THE ROADWAY PARCEL FOR THE  
AVALONBAY PROJECT

On motion of Councilman Malfitano, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Deputy Village Attorney, Andrea Rendo, for authorization to schedule a public hearing for the June 7, 2018 Town/Village Board meetings on the discontinuance of the roadway parcel for the AvalonBay Project..

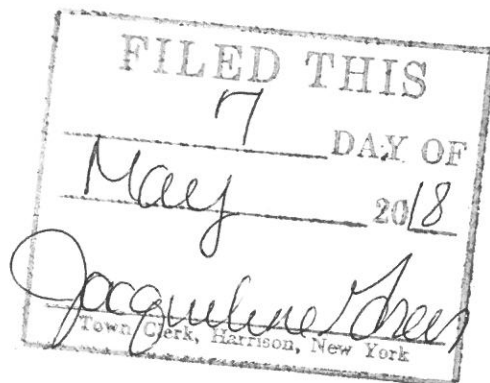
FURTHER RESOLVED to forward a copy of this Resolution to the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

2018 - - 173

APPROVAL OF OLD OAKS COUNTRY CLUB'S ANNUAL FIREWORKS DISPLAY

On motion of Councilman Sciliano, seconded by Councilman Gordon,

it was

RESOLVED to accept the request by Iwona Sterk, General Manager of Old Oaks Country Club for approval to hold their Annual Fireworks Display on Sunday July 1, 2018 at 9:00 PM on club grounds, with a rain date of Monday September 3, 2018. This is subject to approval by the Acting Fire Marshal and the Harrison Police Department.

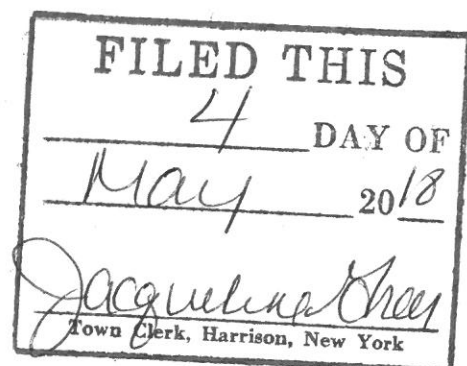
FURTHER RESOLVED to forward a copy of this Resolution to the Acting Fire Marshal, Harrison Police Department and Iwona Sterk.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

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AUTHORIZATION TO ACCEPT A DONATION TO  
THE HARRISON FOOD PANTRY

On motion of Councilman Malfitano, seconded by Councilman Dionisio,

it was

RESOLVED to accept the request by Director of Community Services, Nina Marraccini, for approval to accept a donation in the amount of \$100.00 to the Harrison Food Pantry in remembrance of Philomena Belmont and to celebrate the birth of Julia Belle from Rabbi Hammerman of the Jewish Community Center of Harrison.

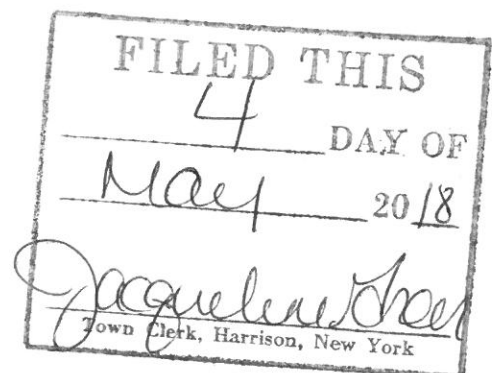
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Director of Community Services.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

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AUTHORIZATION TO USE NIXLE TO SEND OUT EMERGENCY AND  
COMMUNITY NOTIFICATIONS IN THE TOWN OF HARRISON

On motion of Councilman Malfitano, seconded by Councilman Dionsio,

it was

RESOLVED to approve the usage of NIXLE System to send out Emergency and Community notifications for the Town of Harrison at a one time start up fee of \$500.00 and a monthly subscription fee of \$441.00.

FURTHER RESOLVED that funding is available in the police department special services account # 001-3120-100-0407.

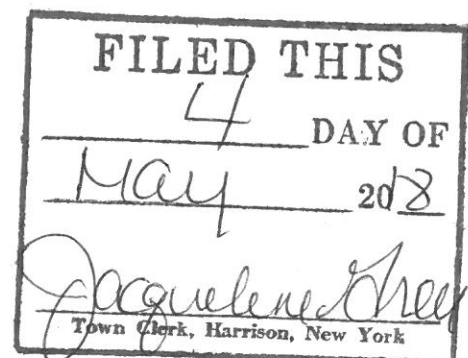
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Harrison Police Department and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



May 3, 2018

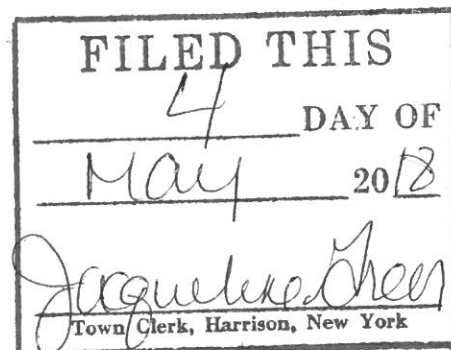
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MATTERS FOR EXECUTIVE SESSION

Personnel: 3

Litigation: 1

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



May 3, 2018

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AUTHORIZATION TO SETTLE A CLAIM

On motion of Councilman Gordon, seconded by Councilman Dionisio,

it was

RESOLVED to settle the claim in the matter of Laranjeira v Town of Harrison in the amount of \$9,599.23, 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 Dionisio, Gordon, 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 10:36 PM.

Respectfully submitted,

Jacqueline Greer  
Town Clerk

