

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 Wednesday November 16, 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 . . . . . )

Fred Sciliano . . . . . ) . . . . . Councilpersons

Joseph Stout . . . . . )

ALSO ATTENDING:

Frank Allegretti . . . . . Town Attorney

Chris Cipolla . . . . . Deputy Village Attorney

Mike Olsey . . . . . Acting Chief/Lieutenant

Maureen MacKenzie . . . . . Comptroller/Treasurer

November 16, 2016

2016 - - 422

OLD BUSINESS

OPENING OF THE GUN STORE

Harrison resident Shauna Ray Long addressed the Board representing a group of very concerned residents of Harrison. She discussed the gun store that opened in a gun free school zone. Ms. Long said she wanted to officially have read into the record that there was a petition signed by 3,500 people. (NOTE: No petitions were submitted).

Harrison resident Siobhan White spoke against the gun store that opened in the center of town and within 500 feet of schools and churches. Ms. White was specifically concerned that the gun store undermined the maintenance of a gun free school zone under federal law.

Harrison resident Anurag Jain spoke against the gun store. The Board should make public safety a priority. Harrison children are entitled to a gun free school zone.

Harrison resident Laura Fontecchio explained that residents who have inquired about how and why the store is slated to open without broad public review or a public hearing have been told that the gun shop is exempt from any required approval by the Mayor or Town Board.

Harrison resident Zoe Caneian spoke against the gun store. Ms. Caneian said it was unclear whether the Board explored all possible measures to prevent the store from opening. Ms. Caneian suggested that hearing from residents who do not believe a gun store should be in a gun free school zone might encourage them to review this matter more carefully.

Harrison resident Amie Eglet addressed the Board and asked if they agreed the gun store was in an inappropriate location and if they would like to help find options to prevent it from opening, would the Board please express their concern by signing this petition.

Harrison resident Shauna Ray Long addressed the Board and assured the Board that as of November 16, 2016, there were 3,500 signatures on a petition against the gun store. Ms. Long hoped to present over 5,000 signatures. She asked that each of the Board Members consider signing the petition and to continue to work with residents as we hope to be able to present some of the things you challenged us to do and look for.

Harrison resident Fran Brescia Coniglio spoke in opposition of the gun store and its location in the heart of our downtown area and in the gun free school zone. Ms. Coniglio discussed a recent CBS television news interview. Ms. Coniglio said Mr. Zacchio stated in the interview that what he hears is shut him down and let him sue the town and the residents want him out of here. Ms. Coniglio said this is a false statement. She went on

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to say concerned residents of Harrison are against the gun store at the current location because it is within the gun free school zone and in the heart of downtown and that is the reason for the petition. Ms. Coniglio also was concerned that Mr. Zacchio had yet to obtain a license to sell second hand goods. She asked what is going to happen with the license and have the town attorney's begun revising the code?

Supervisor Belmont said Mr. Zacchio has applied for a used gun permit and his application has been filed. Town attorneys are working full time on this. The news is stirring issues on both sides.

Harrison resident Eric Stone expressed that he understood the rules and regulations but he thought a gun store was not in the best interest of the town. Mr. Stone said he doesn't want to create an epicenter for firearms in the heart of Harrison. Mr. Stone spoke of a personal experience with his father, while walking home from the Harrison train station. His father was robbed at gunpoint in February 2012. He asked the Board to take appropriate action to remove the gun store.

Harrison resident Lou Zacchio addressed the Board to dispel rumors and answer some questions. Mr. Zacchio explained that 70% of his customers are police, first responders and military personnel. They are not criminals and he doesn't sell guns to criminals. Mr. Zacchio said if someone shows up at my store and their firearm is not cased they will be denied entry and I will call the Harrison Police Department because they will be breaking the law. Mr. Zacchio explained that he upholds the law and abides by them. Mr. Zacchio stated the statute on the Safe School's Act says federally licensed firearms dealers in a commercial space are exempt from the Act as is anyone with a permit, walking past a school, not on school grounds. Anyone within 1000-feet of a school with a firearm that is unloaded, cased and locked is also exempt from the 1,000-foot rule. Mr. Zacchio stated the 1,000-foot rule does not apply to his store.

Harrison resident Chris Rodier inquired about a sign he requested to be put up annotating the 1000-foot gun free school zone.

Supervisor Belmont replied that the sign has not been posted and the reason being is you asked for one sign and to properly post the sign 1,000 feet from the school you would need approximately 14 to 16 signs for Parsons and 16 to 18 signs for Preston. Supervisor Belmont also advised Mr. Rodier that he had spoken to law enforcement agencies and they recommended against it.

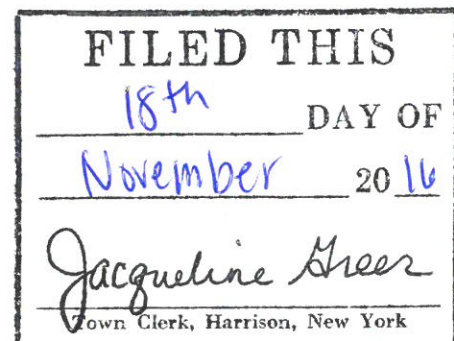
Harrison resident Eugene Dorchester explained having a store that will be introducing guns, in a perfectly legal way, into the community is going to increase the overall number of guns in the community. Mr. Dorchester opined that the town's downtown area and the short distance from the school is no location for a gun store.

November 16, 2016

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Harrison resident Pamela Peligri presented questions to the Board about legal and zoning issues. Ms. Peligri questioned the change of use permit going from retail services to retail. Mr. Zacchio says he will be servicing and repairing guns. This does not fall under the definition of a retail store but rather service and repair. Ms. Peligri asked for the Town Attorney's to consider this and suggested that there was a possibility that the permit was given erroneously and suggested something may have been overlooked.

Harrison resident Shauna Rae Long explained that this is not the right location for the gun store and residents are trying to present various cases such as cities in California that have ordinances. There is a group of people that feel very strongly and want to put forth something to stop this. The group has come together to try and offer a starting point.



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ACCEPTANCE OF CORRESPONDENCE AND REPORTS

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

RESOLVED to accept the following correspondence and reports:

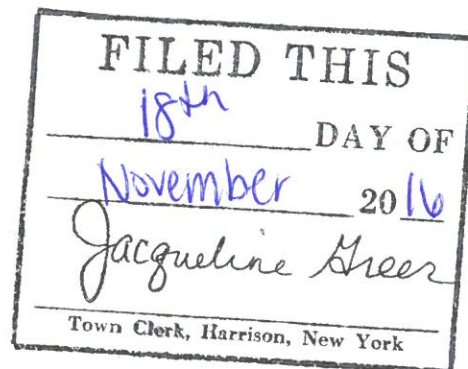
1. Monthly report from the Acting Chief of Police for October 2016.
2. Monthly report from the Superintendent of Recreation for October 2016.
3. Monthly report from the Commissioner of Public Works for September 2016.
4. Monthly report from the Town Clerk for October 2016.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



November 16, 2016

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PUBLIC HEARING RE: THE 2017 PRELIMINARY BUDGET

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

Supervisor Belmont addressed the Board and audience. He Explained that once again, and since the tax cap was instituted for the fiscal year 2012, The Town/Village is under the mandated NY State tax cap. Harrison has also partnered with Westchester County, and other Westchester municipalities, and submitted an efficiency plan to New York State to comply with the "Property Tax Freeze Legislation". The plan has been approved by the state and therefore all taxpayers within Harrison, who are STAR eligible, will receive a check from the State for any increase in taxes that they paid for in the tax years 2015 and 2016. The 2017 tax rate, in our preliminary budget, is 1.512%. The tax rate dollar increase is \$5.12 per thousand dollars of assessment. For an average home, valued at \$600,000.00, the monthly dollar increase is \$4.10 and the annual increase is \$49.00. The 2017 tax levy cap, set by the State of New York, is 0.68%. The total Town/Village Budget is \$59,228,389.00, an expenditure increase of \$369,144.00 over the 2016 budget (.63%). Once again, no fund balance has been used to balance this budget, nor are there any one-shot revenues. Union salary increases are 1.75% and 2.75% for 2017. Management and judges increases are 1.75%. Councilmen and other elected officials are receiving zero percent. Harrison is rated Aa1 by Moody's as of our last bond issue in 2015. Within that rating, they cited our strengths as having a healthy financial position, conservative budgeting and sizable and affluent tax base benefiting from ongoing commercial and residential development. They also cited our average, manageable debt burden and our rapid amortization of principal. Due to our conservative budgeting, our healthy financial position will continue to strengthen. We have achieved consecutive operating surpluses for the past six years and expect to be adding to that surplus in 2016. Our Pension Obligation is fully funded within this budget as we did not take advantage of the Contribution Stabilization Program offered by the NYS Retirement System that would have allowed us to amortize a portion of our pension costs over a 10-year period, which in 2017 would have had an interest rate of 2.33%. Budgeted non-property tax revenue has remained flat over 2016 budgeted revenue. In 2016 we expect revenue to once again exceed budget in many categories. The excess revenues received from such sources as Building Fees and Permits and Court Fees will be reserved at year end 2016 to be used for future improvements to our building structures. This budget has 268 budgeted positions, with 14 of them vacant, for a total of 254 on payroll. In 2012 there were 266 budgeted positions, with 8 of them vacant, for a total of 258 on payroll. In 2008 we had 318 budgeted positions, 10 of them vacant. With 54 positions less on the payroll, we continue to provide the taxpayers of Harrison with excellent services. 2016 saw the final stage of the revitalization of the West Harrison Library and a one million dollar facelift and new roof for the Leo Mintzer Center. This past year, fifteen miles of roadway were repaved and Phase I of replacing our street lights with LED lights is complete. Phase II,



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ornamental lights, will be completed in the next several months. The purchase of the Town's third automated sanitation truck has been completed and the third phase of the automated routes will commence in early 2017. Plans are complete for the final phase of the revitalization of Ma Riis Park.

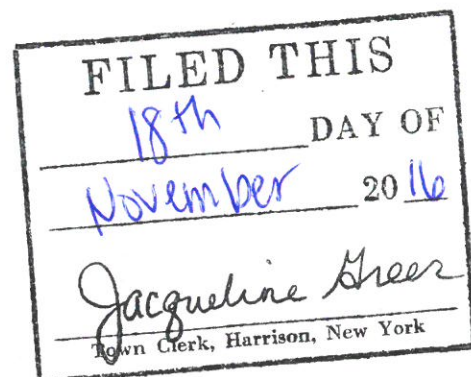
Harrison resident Chris Rodier said he brought a copy of a pie chart from the Town of New Castle Budget which shows the exact breakdown and the tax bill for an average home. He asked the Board if this is something the town could produce in our budget. Mr. Rodier asked if we could also add a chart with the town, county and school amounts of taxes.

Councilman Malfitano replied that what the Board has before them is a working document but you will find charts in the adopted budget.

Harrison resident Chris Rodier said he would like to see a transparent budget presentation similar to New Castle or Rye City. If you review their budget it is easy to see where the money is being spent whereas our budget does require a mathematician.

Supervisor Belmont said if you look at our budget, it says exactly how many employees and how much they are making, you can't get much plainer then this. This is a lot more exact then a pie chart.

On motion of Councilman Malfitano, seconded by Councilman Sciliano, the hearing will be continued at the next regular scheduled meeting.



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AUTHORIZATION TO ACCEPT THE FOLLOWING DONATIONS  
FOR THE FOOD PANTRY

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

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

\$2,000.00 from an anonymous donor

\$2,000.00 from an anonymous donor

\$70.00 from Marie Briganti

\$20.00 from Dolores Ballasedis and Carol A. Wagner

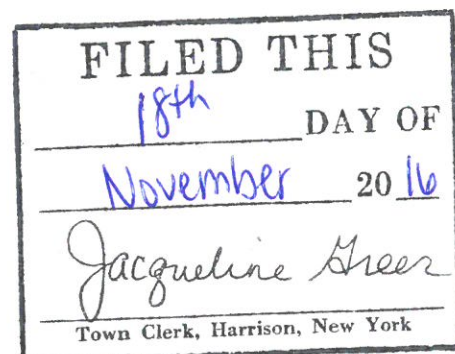
FURTHER RESOLVED to forward a copy of this Resolution to the Director of Community Services and the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None





November 16, 2016

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AUTHORIZATION TO ATTEND A CONTINUING EDUCATION SEMINAR  
TITLED "MANAGING STREET TREES"

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Town Engineer, Michael Amodeo, for authorization to attend a continuing education seminar titled "Managing Street Trees: What you should Know for Success" on Thursday, December 15, 2016 at the Westchester County Center at a cost not to exceed \$40.00. Funding for this seminar is available in the Engineering Department Operating Budget – Account #001-1440-100-0415 (Schooling).

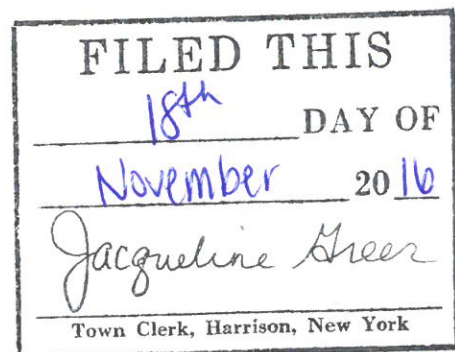
FURTHER RESOLVED to forward a copy of this Resolution to the Town Engineer and the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



November 16, 2016

2016 - - 427

AUTHORIZATION OF A BUDGET TRANSFER

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

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

Increase:

|                             |          |
|-----------------------------|----------|
| 001-1355-100-0120           | \$197.00 |
| Assessor-Over Time Salaries |          |

Decrease:

|                   |          |
|-------------------|----------|
| 001-1355-100-0470 | \$197.00 |
| Assessor-Gasoline |          |

To transfer monies to cover over expenditure in Assessor over time salary  
line.

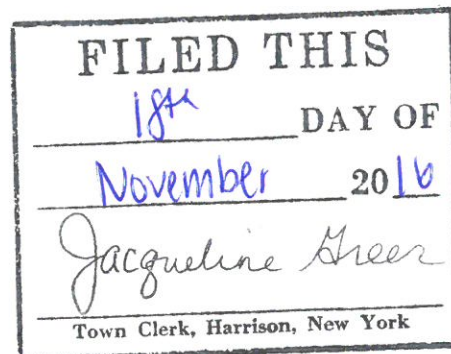
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



November 16, 2016

2016 - - 428

APPROVAL OF THE 2017 STERLING BENEFITS-FLEX PLAN ADMINISTRATION  
RENEWAL

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Personnel Manager, Debra Scocchera, for approval of the 2017 Sterling Benefits-FSA Renewal. Sterling Benefits administers the employee Flexible Spending Plan.

FURTHER RESOLVED that this renewal is subject to receipt of a valid insurance certificate and Law Department review and approval.

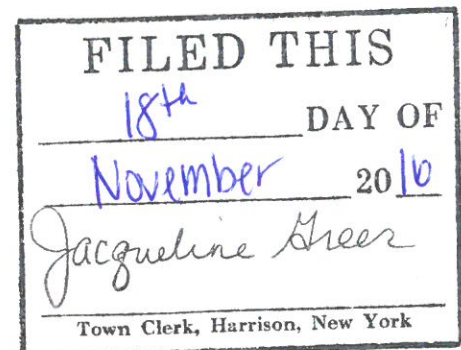
FURTHER RESOLVED to forward a copy of this Resolution to the Personnel Manager, and the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



November 16, 2016

2016 - - 429

APPROVAL OF THE 2017 ADMINISTRATIVE FEES SCHEDULE BETWEEN  
POMCO HEALTH PLANS AND THE TOWN/VILLAGE OF HARRISON

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Personnel Manager, Debra Scocchera, for approval of the 2017 Administrative Fees Schedule between POMCO Health Plans and the Town/Village of Harrison. POMCO Health Plan is the Town/Village of Harrison Third Party Administrator (TPA) for Health Benefits.

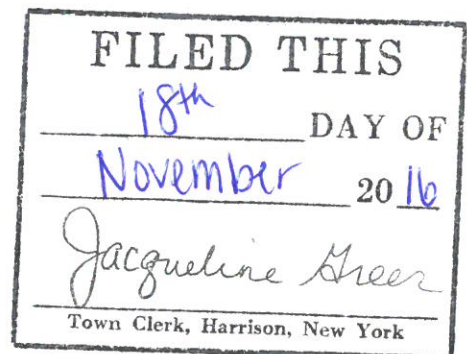
FURTHER RESOLVED to forward a copy of this Resolution to the Personnel Manager, and the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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APPROVAL OF THE TWO YEAR RENEWAL SERVICE AGREEMENT BETWEEN  
POMCO RISK MANAGEMENT AND THE TOWN OF HARRISON

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by Personnel Manager, Debra Scocchera, for approval of the two year renewal service agreement between POMCO Risk Management and the Town/Village of Harrison. POMCO Risk Management is the Town/Village of Harrison Third Party Administrator (TPA) for Workers Compensation and General Liability Insurance.

FURTHER RESOLVED that this renewal is subject to receipt of a valid insurance certificate and Law Department review and approval.

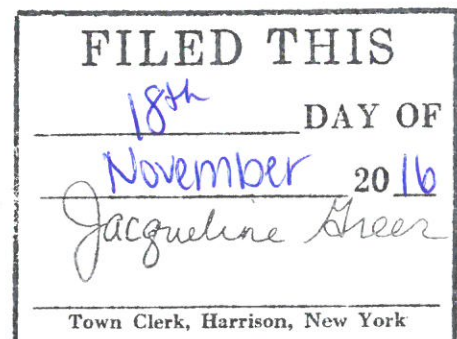
FURTHER RESOLVED to forward a copy of this Resolution to the Personnel Manager, and the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None





November 16, 2016

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AUTHORIZATION TO ACCEPT A DONATION FROM THE  
HARRISON FESTIVAL JAPANESE COMMITTEE

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to accept the request by Acting Chief of Police, Lieutenant Michael Olsey, for authorization to accept the donation of \$600.00 from the Harrison Festival Japanese Committee. The donation was raised during the "Great to Live in Harrison Day" event and should be deposited in the Police Donation Account Line #009-0000-786-0000 to be used for school events as requested by the Japanese Committee.

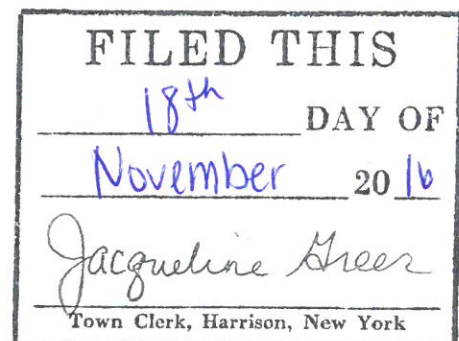
FURTHER RESOLVED to forward a copy of this Resolution to the Acting Chief of Police and the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



November 16, 2016

2016 - - 432

AUTHORIZATION TO ACCEPT AN ANONYMOUS DONATION  
FOR MUSIC AND ENTERTAINMENT

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to accept the request by the Superintendent of Recreation, Gerry Salvo, for authorization to accept the anonymous donation of \$10,000.00 for Music and Entertainment.

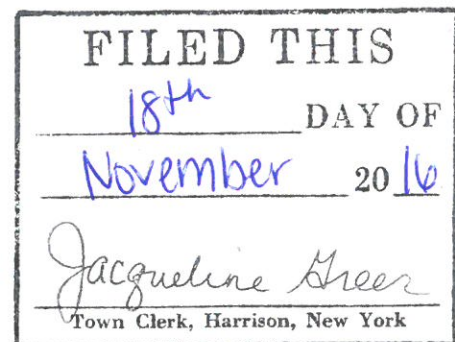
FURTHER RESOLVED to forward a copy of this Resolution to the Superintendent of Recreation and the Comptroller.

Adopted by the following vote:

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

NAYS: None

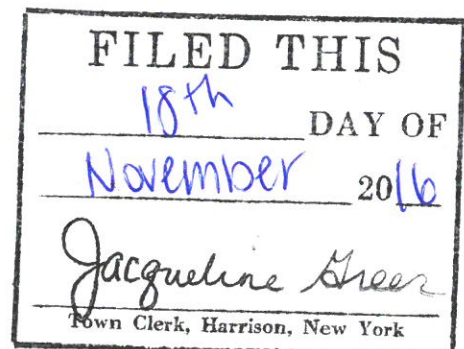
ABSENT: None



November 16, 2016

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OLD BUSINESS

Councilman Stout Thanked Supervisor Belmont for all his effort. He said he knew the entire Board was supportive in replacing the Dough Boy Statue but the Supervisor was the one who really pushed it and made sure it got done for Veteran's Day. I just want to say thank you. You made it happen before Veteran's Day and it really mattered to the Veterans.



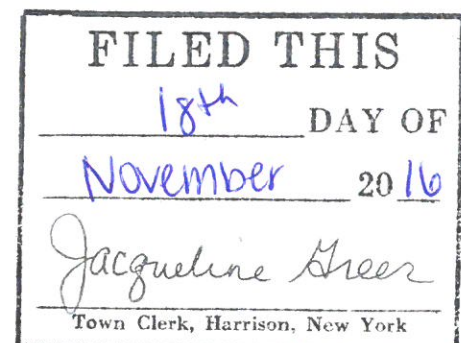
November 16, 2016

2016 - - 434

MATTERS FOR EXECUTIVE SESSION

Personnel: 2  
Contract: 1  
Collective Bargaining: 1  
Tax Certiorari: 2  
Litigation: 4  
Land: 2

On motion duly made and seconded,  
with all members voting in favor,  
the Meeting was recessed to Executive Session at 8:46 PM.



November 16, 2016

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AUTHORIZATION TO APPOINT ROBERT JAMES SUHRE AS A PART-TIME  
DISPATCHER AT THE HARRISON POLICE DEPARTMENT

On motion of Councilman Sciliano, seconded by Supervisor Belmont,

it was

RESOLVED to accept the request by Personnel Manager, Debra Scocchera, to appoint Robert James Suhre to the position of part-time dispatcher at the Harrison Police Department at an hourly rate of \$17.72, effective November 21<sup>st</sup>, 2016.

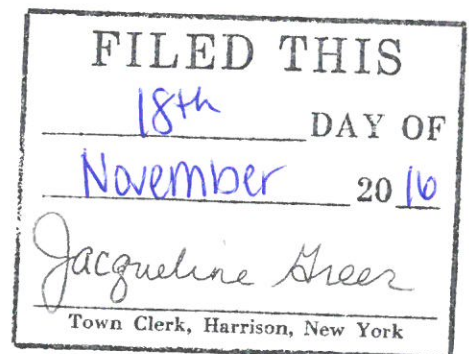
FURTHER RESOLVED to forward a copy of this Resolution to the Personnel Manager, and the Acting Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None





November 16, 2016

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AUTHORIZATION TO SETTLE A TAX CERTIORARI IN THE MATTER  
OF APAWAMIS CLUB

On motion of Councilman Sciliano, seconded by Councilman Stout,

it was

RESOLVED to settle a tax certiorari in the matter of Apawamis Club.

| Year | Current AV  | Settlement AV | AV Reduction |
|------|-------------|---------------|--------------|
| 2010 | \$93,210.00 | \$45,281.00   | \$47,929.00  |
| 2011 | \$93,210.00 | \$51,469.00   | \$41,741.00  |
| 2012 | \$93,210.00 | \$50,025.00   | \$43,285.00  |
| 2013 | \$93,210.00 | \$49,219.00   | \$43,991.00  |
| 2014 | \$93,210.00 | \$47,575.00   | \$45,635.00  |
| 2015 | \$93,210.00 | \$46,400.00   | \$46,810.00  |
| 2016 | \$93,210.00 | \$46,400.00   | \$46,810.00  |

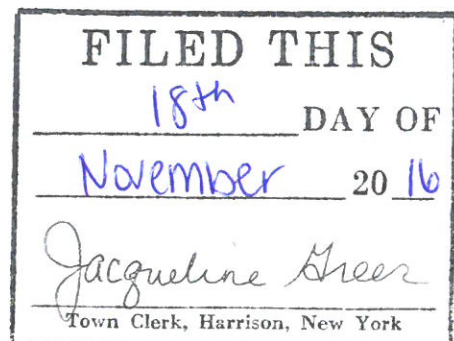
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



November 16, 2016

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AUTHORIZATION TO SETTLE A TAX CERTIORARI IN THE MATTER  
OF WILLOW RIDGE COUNTRY CLUB

On motion of Councilman Stout, seconded by Councilwoman Amelio,

it was

RESOLVED to settle a tax certiorari in the matter of Willow Ridge Country Club.

| Year | Current AV   | Settlement AV | AV Reduction |
|------|--------------|---------------|--------------|
| 2012 | \$200,300.00 | \$139,200.00  | \$61,100.00  |
| 2013 | \$200,300.00 | \$140,000.00  | \$60,300.00  |
| 2014 | \$200,300.00 | \$138,400.00  | \$61,900.00  |
| 2015 | \$200,300.00 | \$128,000.00  | \$72,300.00  |
| 2016 | \$200,300.00 | \$128,000.00  | \$72,300.00  |

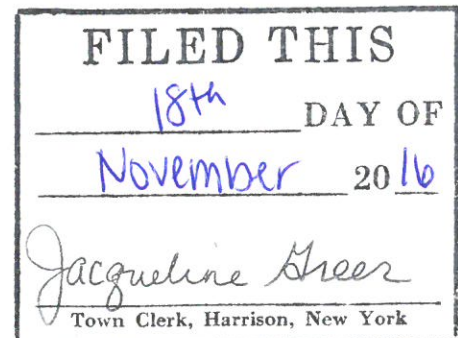
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



November 16, 2016

2016 - - 438  
AUTHORIZATION TO SETTLE A TAX CERTIORARI IN THE MATTER  
OF 261 HALSTEAD AVENUE

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to settle a tax certiorari in the matter of 261 Halstead Ave.

| Year | Current AV  | Settlement AV | AV Reduction |
|------|-------------|---------------|--------------|
| 2010 | \$27,000.00 | \$24,300.00   | \$2,700.00   |
| 2011 | \$27,000.00 | \$27,000.00   | 0            |
| 2012 | \$27,000.00 | \$25,650.00   | \$1,350.00   |
| 2013 | \$27,000.00 | \$25,650.00   | \$1,350.00   |
| 2014 | \$27,000.00 | \$25,650.00   | \$1,350.00   |
| 2015 | \$27,000.00 | \$22,950.00   | \$4,050.00   |
| 2016 | \$27,000.00 | \$22,950.00   | \$4,050.00   |

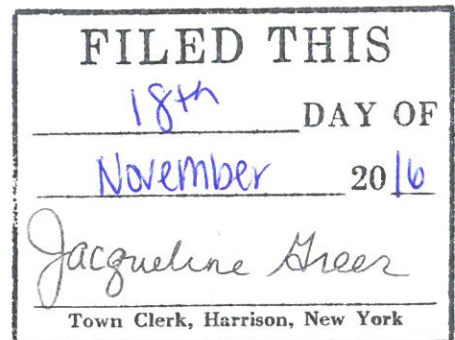
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



November 16, 2016

2016 - - 439

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES IN THE MATTER OF  
CASCIANO VS. TOWN OF HARRISON

On motion of Councilman Mafitano, seconded by Councilman Sciliano,

it was

RESOLVED to raise the cap on legal fees in the matter of Casciano vs. Town of Harrison to \$50,000.

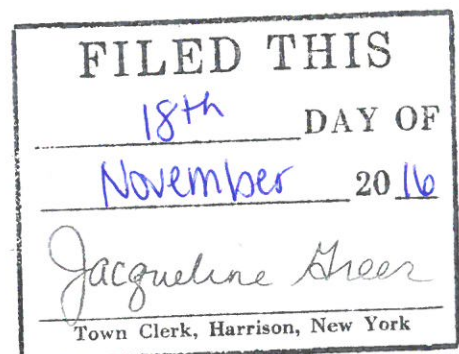
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

AYES: Councilpersons Amelio, Mafitano, Sciliano and Stout  
Supervisor Belmont

NAYS: None

ABSENT: None



November 16, 2016

2016 - - 440

AUTHORIZATION TO RAISE THE CAP ON LEGAL FEES TO IRA LEVA ESQ.

On motion of Councilman Sciliano, seconded by Supervisor Belmont,

it was

RESOLVED to raise the cap on legal fees to Ira Levy Esq. to \$100,000.

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 and Stout  
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 11:02 PM.

Respectfully submitted,

Jacqueline Greer  
Town Clerk

