

April 4, 2013

A regular meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on Thursday, April 4, 2013 at 7:30 PM. Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont Supervisor

Marlane Amelio)

Joseph Cannella) Councilpersons

Fred Sciliano)

Stephen Malfitano)

ALSO ATTENDING:

Frank Allegretti Town Attorney

Jonathan Kraut Village Attorney

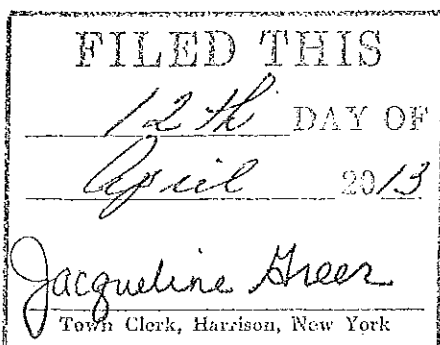
Maureen MacKenzie Comptroller

Anthony Marraccini Chief of Police

Robert FitzSimmons Building Inspector

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April 4, 2013

2013 -- 113

PRESENTATION BY SUPERVISOR RON BELMONT OF CERTIFICATE OF
ACHIEVEMENT TO HARRISON STUDENT, MARY GRACE HENRY, FOR HER
OUTSTANDING COMMITMENT TO EDUCATE GIRLS IN UNDEVELOPED COUNTRIES

Supervisor Ron Belmont introduced Mary Grace Henry, a 16 year old student and founder of the Reverse the Course Foundation, a non profit that subsidizes the cost of sending girls, in third world countries, to school. Globally, over 120 million children are not enrolled in school and girls make up 70% of this number.

Supervisor Belmont continued stating that Mary Grace launched her business when she was 12 years of age. She designs and sells over 300 styles of headbands, ponytail accessories, bows and barrettes. Mary Grace began her hair accessory business in order to help change the lives of young girls, in underdeveloped countries, by funding their education. Presently, Mary Grace has helped girls in Uganda, Kenya, Haiti and Paraguay. Since beginning the Reverse the Course Foundation in 2009, she has provided tuition, board, uniforms and textbooks for 25 girls, funding 51 years of their education costs.

Supervisor Belmont went on to say that in June, 2011, Mary Grace traveled to Rwanda and Uganda, While in Rwanda she met with the head of the International Education Exchange and was able to tour one of the Rwandan schools. In Uganda, Mary Grace toured a primary school, meeting all the children in attendance. She also visited a secondary school where the proceeds, of Reverse the Course, support the educational needs of 10 girls.

Most recently in February, Mary Grace won the 2012 Kids Who Give \$10,000 Grand Prize in a nationwide contest. This grant will enable Reverse the Course to support an additional 5 Maasai girls in Kenya, each of whom will have four years of education needs fully funded. This year, Mary Grace hopes to travel to Kenya to meet the students her organization supports there.

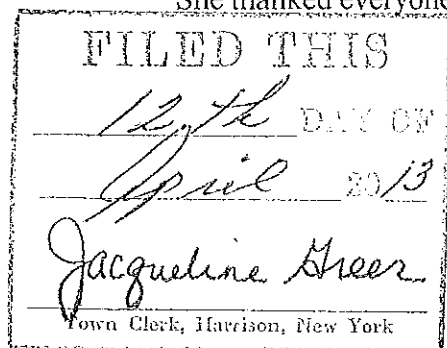
Mary Grace is currently a sophomore at Convent of the Sacred Heart in Greenwich, Ct., and is a member of the varsity squash team. She remains passionately committed to her goal of making a life-changing difference in the lives of 100 girls.

Supervisor Belmont stated that he could speak for the entire Board in congratulating Mary Grace on her impressive accomplishments and wished her all the best as she continues to enrich the lives of young girls.

Harrison resident Mary Grace Henry a student at Sacred Heart School in Greenwich, Connecticut said she is very appreciative of all the support she has received from the Harrison community. She thanked everyone for their support.

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April 4, 2013

2013 - -114

APPROVAL FOR THE HARRISON LIBRARY RENOVATION
PLEDGE AGREEMENT

Harrison resident Ross Halperin said he would start off with a thank you. This agreement was the culmination of a lot of hard work from many people on the Town Board, Library Board and the Library Foundation. He also commended other people without naming anyone specific, who became passionate about this effort and made this a reality. This agreement is a fantastic step forward. This dream will be to transform the library for \$3.6 million. We are going to have \$2.4 million of that funding committed from a variety of sources and we are going to have a definitive timeline for the execution of the project. This will give us the ability to bridge the gap between the \$2.4 million and the \$3.6 million to the best of our ability. This is a very exciting step forward and thank you to the Town Board and everyone else involved that helped to make this a reality.

Harrison resident Steve Hicks, the President of the Harrison Library Foundation said he was asked to join the foundation several years ago to raise money for the library renovation. Mr. Hicks grew up in Harrison and spent a lot of time at the library as a child and later brought his children. He felt the library was a very important part of this community and was important to renovate it and upgrade it and continue to make it relevant to everyone in Harrison. We appreciate very much what the Town Board is doing. We know it wasn't easy but thank you very much.

Maureen Skrilow, Harrison resident and President of the Board of Trustees of the Harrison Library said on behalf of the board they are ecstatic.

Councilman Cannella said what we really have here is total funding including the generous contributions of the Halperin Foundation and also from the Town of Harrison approximately 2 million dollars. The town's contributions are in two segments which is important to understand. One of which is \$650,000 which will be allotted to infrastructure improvements which would need to be done anyway in the course of the next five or six years so this would be a great time to do that and \$450,000 which the town is contributing, which was funded by our contract with Cablevision. Cablevision money is going to be used for a studio, which will be incorporated into the library and the library plan will be refined to allow for the inclusion of this. What is important for everyone to understand is that the Library Foundation and the Library Board commissioned conceptual plans which this Board is going to approve very soon. Conceptually this is a \$3.6 million project and obviously if that total amount is reached that is terrific. If it is not, then there is going to have to be modifications. The ultimate plans are subject to evolution as they need to be and what is important to understand that the way our agreement with everyone involved is structured we have a fundraising effort that is beginning today. This is the ringing of the bell of a town and community fundraising effort. This is the beginning and obviously a long time coming and everyone should be very pleased but it is only the beginning. What really needs to happen now is the real work. The real work is starting tonight and going through mid

April 4, 2013

2013 - -114 (continued)

December because the anticipation is that this project is going to go off in the early part of 2014 which our budget would need to be set to what we need to spend in mid December.

Councilman Malfitano said that sometimes good things are worth waiting for. I suppose that could be said here. This is critical period of time here. The community has a responsibility to support this project to the extent that the parties that are in this room tonight over the last years, in particular the last months, have supported this project. I say that our hope and our wish is that the community steps forward here and that this turns into a wonderful project that we could all be very proud of. This was not easy; there was a lot of work done behind the scenes. This was not an easy thing to do collectively. There were a lot of moving parts; a lot of components; it was complex and as a result of everyone's perseverance we're able to do this and I am very thankful for that.

Supervisor Belmont said congratulations.

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to approve the Harrison Library Renovation Pledge Agreement.

FURTHER RESOLVED to authorize the Supervisor to sign said Agreement.

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

Adopted by the following vote:

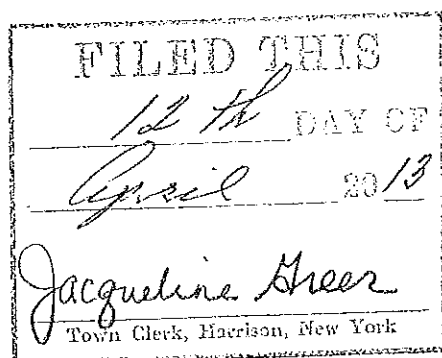
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

2013 - - 115

APPROVAL FOR THE HARRISON LIBRARY'S RENOVATION CONCEPTUAL PLAN

Councilman Cannella asked Mr. Halperin to come up and say a few words on the conceptual plan.

Harrison resident Ross Halperin thanked the Board and said over the next nine months we have a lot of work to do in terms of raising as much money as we possibly can. In regards to the concept study we are in the architectural process. The first step was a planning and program study. That was more a needs assessment that was commissioned by the Library Board of Trustees about a year ago. The follow up to that was a concept study. That is where the architects and the Harrison Public Library Foundation hired a firm called H3 Hardy. This firm has done a lot of library and public infrastructure work. They produced this concept study which is a high level depiction of what this could look like. These are all drawings at this point; eventually they will have to be converted into construction documents. Precisely what it looks like will be how much we ultimately raise. This is the direction we hope to head. The images are available on the website.

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the Harrison Library's renovation conceptual plan.

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

Adopted by the following vote:

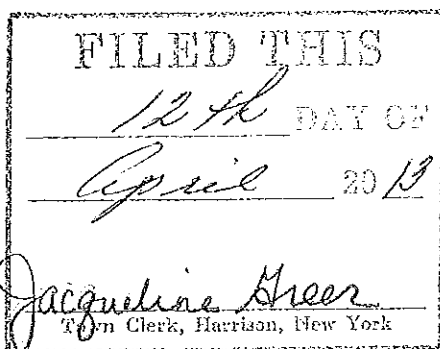
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

2013 -- 116

AUTHORIZATION TO HIRE THREE (3) PART TIME EMPLOYEES
IN THE PARKS DIVISION OF THE DPW

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Commissioner of Public Works Anthony Robinson for authorization to hire three (3) part time employees in the Parks Division of the Department of Public Works, effective April 8, 2013, at a rate of \$11 per hour.

FURTHER RESOLVED that funding is available in the DPW 2013 Operating Budget.

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

Adopted by the following vote:

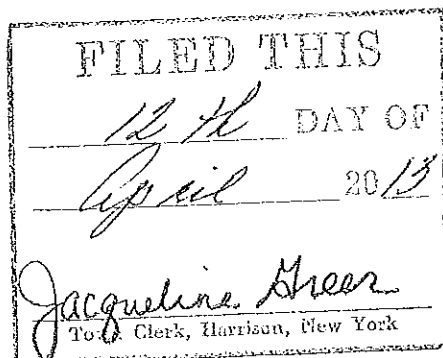
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

2013 -- 117

ACCEPTANCE, WITH REGRET, THE LETTER OF RETIREMENT
FROM WILLIAM GERETY, ASSISTANT BUILDING INSPECTOR

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

it was

RESOLVED to accept, with regret, the letter of retirement from William Gerety, Assistant Building Inspector, effective at the end of business on March 26, 2013.

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

Adopted by the following vote:

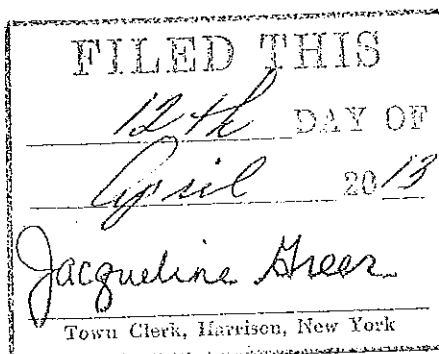
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

2013 -- 118

ACCEPTANCE, WITH REGRET, THE LETTER OF RESIGNATION
FROM POLICE OFFICER JOHN CAMPO

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to accept, with regret, the letter of resignation from Police Officer John Campo, effective March 29, 2013.

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

Adopted by the following vote:

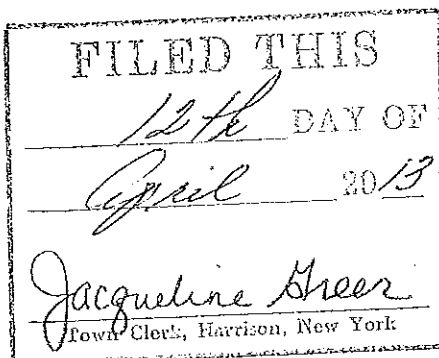
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

2013 -- 119

CONFIRMATION OF THE APPOINTMENT OF WALTER MARDIS
AS TRUSTEE OF THE HARRISON LIBRARY

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to confirm the appointment of Walter Madris as a Trustee of the Harrison Library in place and stead of Mark Santangelo, with his tem ending December 31, 2014.

FURTHER RESOLVED to forward a copy of this Resolution to the Harrison Board of Trustees and the Library Director.

Adopted by the following vote:

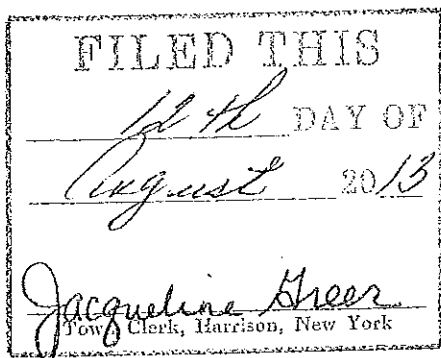
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

2013 - - 120

APPROVAL TO ACCEPT THE INDEPENDENT AUDITOR'S REPORT
FOR YEAR ENDING DECEMBER 31, 2012

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Court Clerk Jacqueline Ricciardi for authorization to accept the Independent Auditor's Report for year ending December 31, 2012, performed by O'Connor, Davies, Munns & Dobbins, LLP.

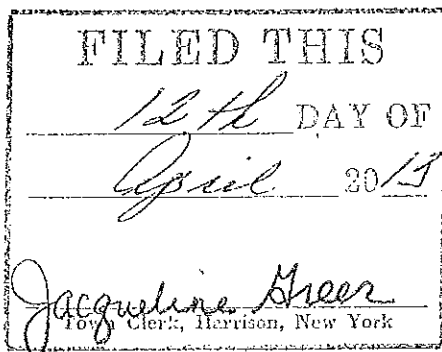
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Court Clerk.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



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April 4, 2013

2013 -- 121

APPROVAL FOR A PROPOSAL TO DONATE A PLAYGROUND AT THE LEO MINTZER
CENTER BY THE HARRISON CHILDREN'S CENTER

Debbie Imperia, Harrison resident and Executive Director of the Harrison Children's Center said she wanted to thank the town for being wonderful partners to the Harrison Children's Center and for being partners in early childhood education. We had a very nice year fundraising and a lot of support from community members in the Town of Harrison. It is our pleasure to say thank you to the community and donate to the Town of Harrison a new playground at the Leo Mintzer Center in West Harrison. I've had meetings with Mr. Belmont and Mr. Salvo and found out who the town uses when they redo their playgrounds and contacted the same company. I took a look at Congress Street Park, which is brand new, and made some slight modifications and I think we have a very good plan in place for that playground, which will be up to code.

Councilwoman Amelio asked what would be on the ground?

Debbie Imperia, Executive Director of the Harrison Children's Center said it is engineered wood chips. The area will be fenced but open to the public.

Councilwoman Amelio asked what is the time schedule for receiving the new equipment?

Debbie Imperia, Executive Director of the Harrison Children's Center said I could order it tomorrow but have to coordinate with the town to remove what is there now. Then we would put up the new playground and the town would put in the engineered wood chips. It could be done in an eight week time frame. Who should I contact to move forward because I have to sign a contract with the playground company?

Village Attorney Kraut said he would suggest that they do a quick kick off meeting with a representative of the Law Department as well as someone from Public Works and Recreation. I'm happy to have our office coordinate that; just give us a call.

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Debbie Imperio, Executive Director of the Harrison Children's Center for authorization for a proposal to donate a playground at the Leo Mintzer Center.

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

April 4, 2013

2013 - - 121 (continued)

Adopted by the following vote:

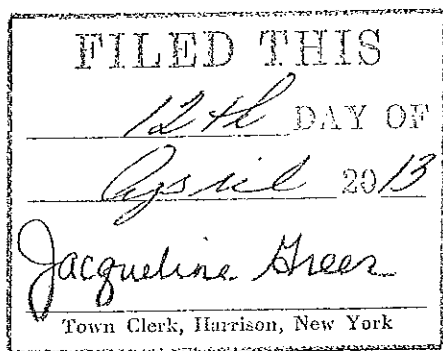
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

2013 - - 122

AUTHORIZATION FOR SUPERVISOR RON BELMONT
TO SIGN THE AGREEMENT BETWEEN THE
TOWN/VILLAGE OF HARRISON AND MORGAN STANLEY HARRISON, LLC.

Town Attorney Allegretti said this is a part and parcel of Planning Board approval for a solar facility going there. This just records, with the County Clerk, the understanding and agreements that they made, as part of the Planning Board process, and it runs with the land.

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

RESOLVED to approve the request by Town Attorney Frank Allegretti for authorization for the Supervisor to sign the Agreement between the Town/Village of Harrison and Morgan Stanley Harrison, LLC.

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

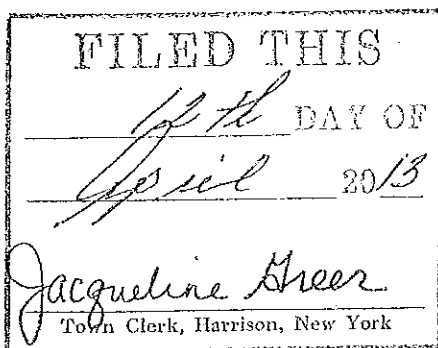
Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

RECUSED: Councilman Malfitano



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April 4, 2013

2013 - - 123

APPROVAL TO TRANSFER CONSENT OF THE FRANCHISEE:
SIDERA NETWORKS, LLC – FIBER OPTIC NETWORK FRANCHISE AGREEMENT

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the Notice of Intent and Request by Sidera Networks, LLC for Consent to Transfer Control of Sidera Networks, LLC to LTS Buyer, LLC. Sidera Networks, LLC currently hold a Fiber Optic Network Franchise Agreement.

FURTHER RESOLVED to authorize the Supervisor to execute a Consent to the transfer of Sidera Networks, LLC.

FURTHER RESOLVED that the New York State Public Commission has approved the transfer to LTS Buyer, LLC.

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

Adopted by the following vote:

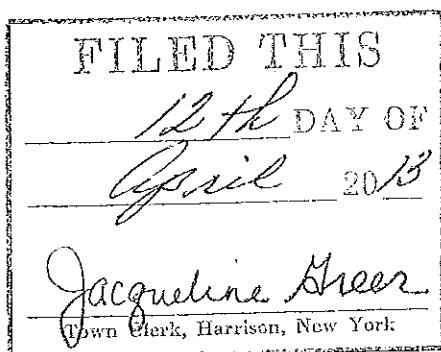
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

2013 - - 124

APPROVAL TO TRANSFER CONTROL OF THE FRANCHISEE:
NEON OPTICA, INC., - FIBER OPTIC NETWORK FRANCHISE AGREEMENT

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the Notice of Intent and Request by NEON Optica, Inc., for Consent to Transfer Control of NEON Optica, Inc. to LTS Buyer, LLC. NEON Optica, Inc., currently holds a Fiber Optic Network Franchise Agreement with the Town of Harrison.

FURTHER RESOLVED to authorize the Supervisor to execute a Consent to the transfer of NEON Optica, Inc.

FURTHER RESOLVED that the New York State Public Commission has approved the transfer to LTS Buyer, LLC.

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

Adopted by the following vote:

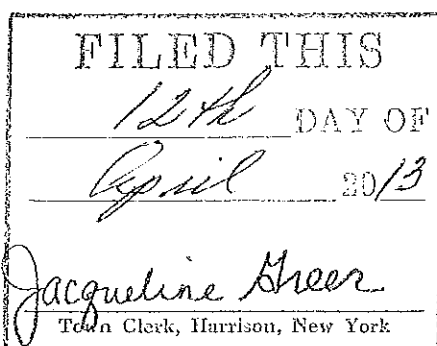
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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April 4, 2013

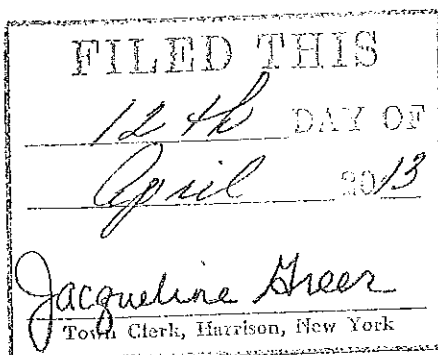
2013 - - 125
OLD BUSINESS:

Councilman Sciliano said he wanted to mention something that he has been confronted with. I think a majority of the public, especially in the B zone, thinks that this Town Board wants to eliminate the B zone. That is far from the truth. There might have been an article in the paper months ago that hinted at this but I want to assure the residents of the B zone that we might be looking at "tweaking" parking and driveways and drainage but we are not going to eliminate two family housing in Harrison.

Councilman Malfitano said I think it is safe to say that we are not really making any substantive changes or the recommendations being put forth in the Master Plan are not going to recommend any substantive changes other than issues that relate to curb cuts and parking. The lot size, coverage, the construction of two family homes, will continue uninterrupted with perhaps some additional review. If anyone is thinking there will be a substantive change to the B zone it is just not happening.

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- ☐ Recr'tn
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April 4, 2013

2013 -- 126

MATTERS FOR EXECUTIVE SESSION:

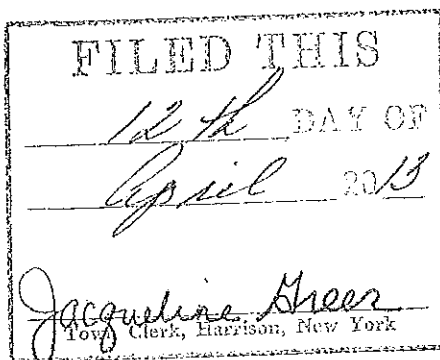
Personnel	6
Litigation	2
Settlement of claim	1
Advice of counsel	1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 8:05 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 10:08 PM.

Copies to:

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<input checked="" type="checkbox"/>	Recr'tn
<input checked="" type="checkbox"/>	Supvs'r



April 4, 2013

2013 - - 127

APPOINTMENT OF RICK BISCEGLIA TO THE PART-TIME AVAILABILITY LIST
FOR THE HARRISON POLICE DEPARTMENT

On motion of Supervisor Belmont, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the appointment of Rick Bisceglia to the part-time availability list for the Traffic Division of the Harrison Police Department, effective immediately, at a rate of \$11 per hour.

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

Adopted by the following vote:

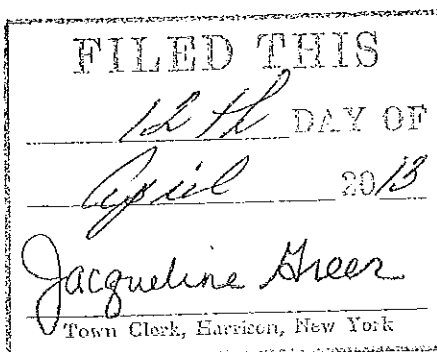
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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- ☒ Recr'tn
- ☒ Supvs'r



April 4, 2013

2013 -- 128
SETTLEMENT OF CLAIM
IN THE MATTER OF
MARINACCIO v TOWN OF HARRISON

On motion of Councilman Malfitano, seconded by Supervisor Belmont,

it was

RESOLVED to settle the claim in the matter of Marinaccio v Town of Harrison, in the amount of \$588.07.

FURTHER RESOLVED that the settlement is subject to the 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, Cannella, 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 10:40 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk

Copies to:

✓ Assessor
✓ Benefits
✓ Bldg
✓ Compt'r
✓ Eng'g
✓ Law
✓ Police
✓ P. Wrks
✓ Purch'g
____ Recr'tn
✓ Supvs'r

