

March 15, 2012

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, March 15, 2012, 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

Stephen Malfitano)

Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney

Jonathan Kraut Village Attorney

Christopher Cipolla Deputy Village Attorney

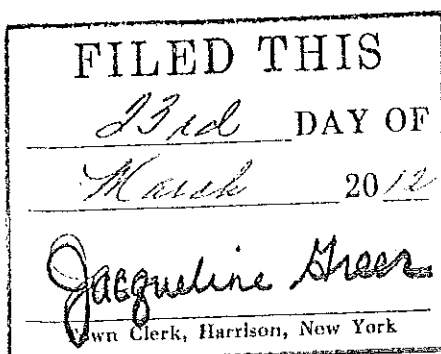
Maureen MacKenzie Comptroller

Anthony Marraccini Chief of Police

Anthony Robinson..... Commissioner of Public Works

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March 15, 2012

2012 - - 108

PRESENTATION FROM HHS BASKETBALL TEAM

Mayor Belmont introduced the Coach Gary Chiarella of the Harrison High School Basketball Team. Mr. Chiarella made the following presentation to the Board:

Supervisor Belmont and Members of the Board,

This season, the Harrison Boys Varsity and Junior Varsity Basketball teams held a "Foul Shot" fundraiser. Each player was asked to get sponsors to support their efforts. Support was in the form of a flat donation or a donation for each shot made. Each player attempted 100 shots. Mr. Chiarella asked the Board to accept a donation for the Harrison Food Pantry, in the amount of \$518.00, which represents a portion of the proceeds of their efforts.

Councilwomen Amelio accepted the donation and thanked the group on behalf of Nina Marraccini, the Director of Community Services.

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to accept the donation in the amount of \$518 for the Harrison Food Pantry from the Harrison High School Boys Varsity and Junior Varsity Basketball teams.

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

Adopted by the following vote:

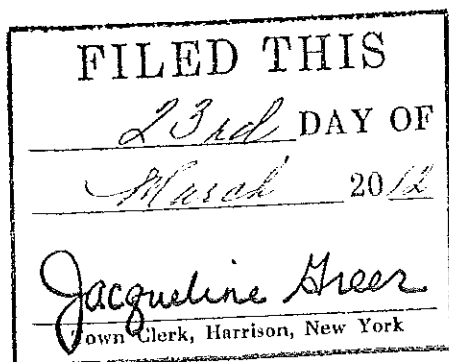
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 - - 109

PRESENTATION BY THE HARRISON HIGH SCHOOL BAND

Harrison High School Band Directors, Charlie Briem and Fred Pasqua spoke on behalf of the Harrison High School Band. The band has been invited by the Pearl Harbor Committee to represent the State of New York at the 2012 Pearl Harbor Memorial Parade in December. They presented a video from the parade organizers from Hawaii that recognized the band for their achievements and invited the Band to participate in the Parade.

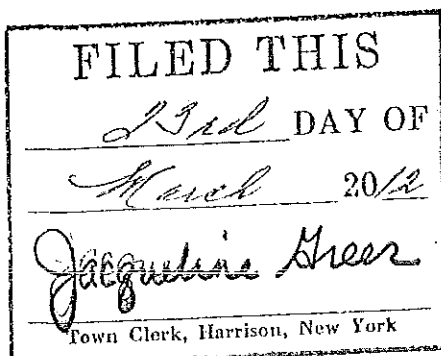
Mr. Briem briefed the Board that the band was proud to represent the community of Harrison and the State of New York in Hawaii and mostly proud to honor those veterans that served on our behalf in the war of all wars. We promise you that we will represent Harrison very well there, and we want to thank you for your support.

There is currently a committee of fourteen, and it is growing. They are working on the fundraising and planning for the logistics of this trip. We are going to open a "Field of Honor" from March 27th through the day after Flag Day. We are going to accept donations, in order to place a flag in memory of a veteran, living or deceased, and are going to place them in precision rows on the front lawn of HHS. Opening ceremony will be at 1:00 p.m. on March 27th. Anyone who would like to donate should make checks for \$40 out to Harrison Central School District.

Councilwoman Amelio then asked for all veterans to please stand and be recognized and thanked them for their service.

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March 15, 2012

2012 - - 110

ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Cannella, seconded by Councilman Sciliano,

it was

RESOLVED to accept the following correspondence and reports:

- 1a. Monthly report by the Town Clerk for February 2012.
- 1b. Monthly report by the Receiver of Taxes for February 2012.
- 1c. Monthly report by the Acting Fire Marshal for February 2012.
- 1d. Monthly report by the Building Inspector for February 2012.
- 1e. Monthly report by the Superintendent of Recreation for February 2012.
- 1f. Monthly report by the Chief of Police for January 2012.

Adopted by the following vote:

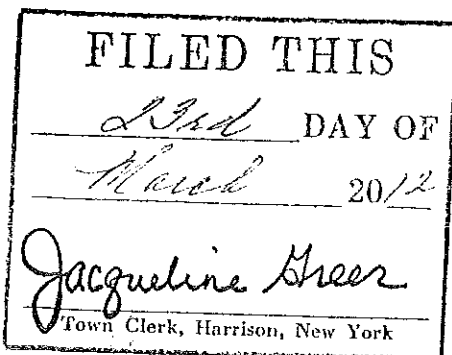
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 - - 111 - - a

PUBLIC HEARING:

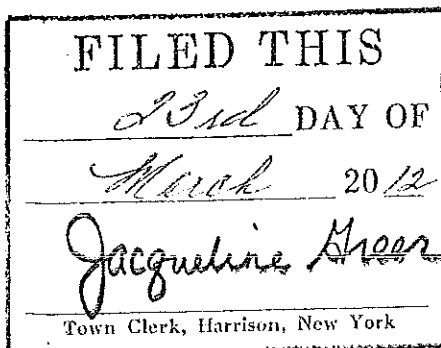
RE: SPECIAL EXCEPTION USE PERMIT TO INSTALL
AN EMERGENCY BACK UP GENERATOR AT
108 CORPORATE PARK DRIVE

On motion of Councilman Cannella, seconded by Councilman Sciliano, with all members voting in favor, the Hearing was opened.

With no one speaking in favor of or against the Hearing was closed.

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March 15, 2012

2012 -- 111 -- b
APPROVAL OF THE INSTALLATION
FOR AN EMERGENCY BACK UP GENERATOR AT
108 CORPORATE PARK DRIVE

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

RESOLVED to approve the request by Chris Masotto, General Manager of Normandy Real Estate Partners, on behalf of their client 108 Corporate Park Drive, to install an emergency back up generator at 108 Corporate Park Drive.

FURTHER RESOLVED to forward a copy of this Resolution to the Building Department and Mr. Masotto.

Adopted by the following vote:

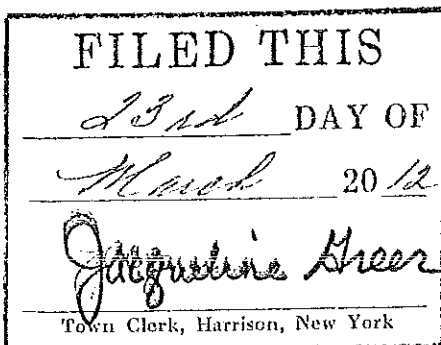
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 - - 112

PUBLIC HEARING: CONTINUATION OF PUBLIC HEARING
RE: REZONING OF OAKLAND AVENUE AND GRANT AVENUE

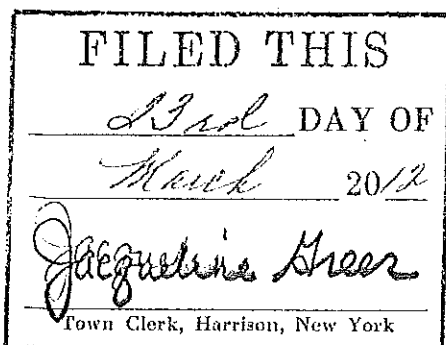
On motion of Councilman Cannella, seconded by Councilwoman Amelio, with all members voting in favor, the Hearing was opened.

Town Attorney Frank Allegretti advised the Board that Mr. Noto was not going to be able to attend tonight's meeting and that we continue it until the April 19th meeting.

The meeting was adjourned until the April 19, 2012 Meeting.

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March 15, 2012

2012 - - 113

AUTHORIZATION FOR THE COMMISSIONER OF PUBLIC WORKS
TO HIRE THREE (3) PART TIME EMPLOYEES
IN THE GTB/PARKS DIVISION OF THE DPW

On motion of Councilwoman Amelio, seconded by Councilman Sciliano,

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 GTB/Parks division of the Department of Public Works, effective Monday, March 19, 2012 at a rate of \$11 per hour.

FURTHER RESOLVED that funding is available in the GTB Operating Budget Account #001-1620-100-0130.

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:

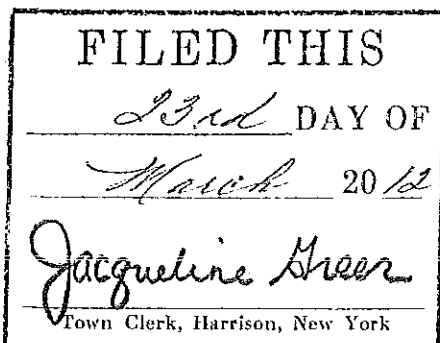
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 - - 114

APPROVAL FOR P.O. DOMENICK GENTILE TO ATTEND
ASHFORD UNIVERSITY COLLEGE FOR THE WINTER 2011/12 SEMESTER
COST: \$3,680.

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

RESOLVED to approve the request by Chief of Police Anthony Marraccini for authorization for P.O. Domenick Gentile to attend Ashford University College for the Winter 2011/12 Semester, for the following courses, at a total cost of \$3,680:

Computer Literacy
Culture Anthropology 101

FURTHER RESOLVED that upon satisfactory completion of the above courses, the Comptroller be authorized to audit and pay expenses outlined as per the contract with the HPA.

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

Adopted by the following vote:

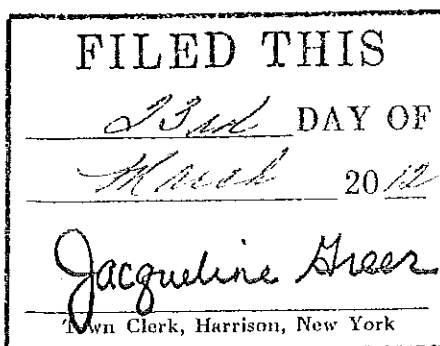
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 -- 115

APPROVAL FOR POWELL'S CLAM BAR AND CATERING AND AL DENTE
RESTAURANT TO HOLD THEIR "DINING UNDER THE STARS WITH MUSIC"
JULY 5th THROUGH SEPTEMBER 7, 2012

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve Powell's Clam Bar and Catering and Al Dente Restaurant to hold their "Dining Under the Stars with Music" event on Thursday evenings from July 5th through September 7, 2012 from 7:00 PM – 11:00 PM.

FURTHER RESOLVED that Thatcher Avenue (between Powell's and Al Dente's) be closed during those hours.

FURTHER RESOLVED that Certificate of Insurance's will follow.

FURTHER RESOLVED to forward a copy of this Resolution to William Powell and Anthony Delfino, the Commissioner of Public Works and the Chief of Police.

Adopted by the following vote:

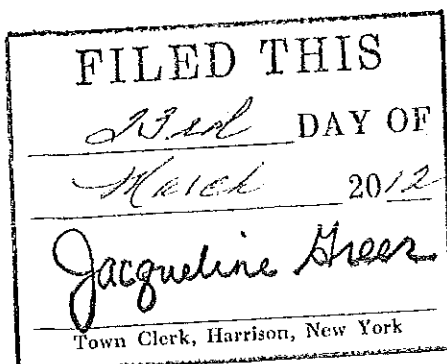
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 - - 116

APPROVAL FOR THE HARRISON CHILDREN'S CENTER TO HOLD THEIR ANNUAL
RECEPTION FOR ART EXHIBIT/INTERNATIONAL CELEBRATION IN TOWN HALL
SUNDAY, APRIL 15, 2012

On motion of Councilman Sciliano, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Debbie Imperia, Executive Director of the Harrison Children's Center for approval to hold their annual reception for Art Exhibit/International celebration in Town Hall on Sunday, April 15, 2012 from 12:30 PM to 3:00 PM.

FURTHER RESOLVED that the children's art work will be displayed throughout the Town Hall during the last two weeks in April and early May.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works and Mrs. Imperia.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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FILED THIS

23rd DAY OF

March 20 12

Jacqueline Greer

Town Clerk, Harrison, New York

March 15, 2012

2012 - - 117

APPROVAL FOR THE AGREEMENT WITH CGI COMMUNICATIONS, INC.
UPDATING THE COMMUNITY MOVIE SHOWCASE
AT NO COST TO THE TOWN

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

RESOLVED to approve the request by Michael Piccini, Coordinator of Computer Services for authorization for the Agreement with CGI Communications, Inc, updating the Community Movie Showcase at no cost to the Town.

FURTHER RESOLVED to forward a copy of this Resolution to the Law Department and the Coordinator of Computer Services.

Adopted by the following vote:

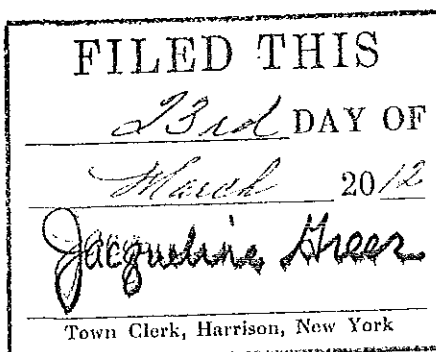
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 - - 118

AUTHORIZATION FOR THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT
DONATIONS FOR THE HARRISON FOOD PANTRY

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

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

\$4,000	The Harrison Association of Teachers
\$775	St. Gregory's CYO Basketball

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

Adopted by the following vote:

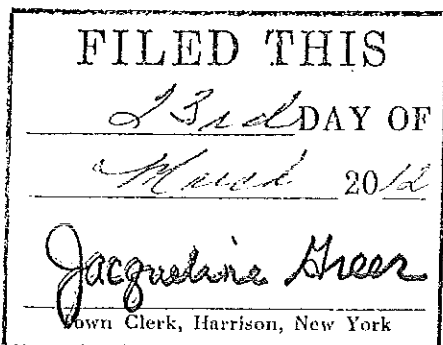
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 - - 119

APPROVAL FOR THE END OF THE YEAR BUDGET TRANSFERS FOR 2011

Comptroller Maureen Mackenzie explained that at the end of the year, for various reasons, lines become over budget. This year the main reason for the over budget cost were for the storms we had last year. You see a lot of over budgeted items in the Highway Division. These funds will be coming back to the town via FEMA reimbursements. We expect at this time, we have already asked for more then \$300,000, which we hope will be coming back into the coffers for next year. It is not budgeted and will go directly to replace fund balance.

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the following End of the Year Budget Transfers for 2011:

Decrease:

001-1410-100-0102	16,142
Town Clerk-Salaries	

Increase:

001-1110-100-0102	6,073
Town Justice-Salaries	

001-1110-100-0124	2,242
Town Justice-CSEA Comp Time Earned/Payout	

001-1110-100-0182	4,666
Town Justice-Salaries Vac and Ret	

001-1110-100-0407	3,161
Town Justice-Special Services	

Total	16,142
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Decrease:

001-1220-100-0403	1
Supervisor-Office Supplies	

Increase:

001-1220-100-0102	1
Supervisor-Salaries	

Decrease:

001-1345-100-0403	162
Purchasing-Office Supplies	

Increase:

001-1345-100-0120	162
Purchasing-Over Time	

Decrease:

001-1410-100-0102	626
Town Clerk-Salaries	

Increase:

001-1411-100-0130	555
Archive-Part Time Salaries	

001-1411-100-0804	3
Archive-Payment of MTA Payroll Tax	

001-1411-100-0830	48
Archive-Social Security	

001-1411-100-0835	11
Archive-Medicare	

001-1450-100-0120	9
Board of Elections-Over Time	

Total	626
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Decrease:

001-1620-100-0102	1,416
General Town Buildings-Salaries	

Increase:

001-1620-100-0240	1,416
General Town Buildings-Other Equipment	

Decrease:

001-1680-100-0240	14
Central Data Processing-Other Equipment	

Increase:

001-1680-100-0102	1
Central Data Processing-Salaries	

001-1680-100-0151	13
Central Data Processing-Sick Incentive Payout	

Total	14
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Decrease:

001-3120-100-0810	18,623
Police-New York State Retirement	

Increase:

001-3120-100-0120	17,360
Police-Over Time	

001-3120-100-0152	1,262
Police-Salaries-Holidays	

001-3125-100-0102	1
Youth Forum-Salaries	

Total	18,623
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Decrease:

001-3120-100-0810	5,303
Police-New York State Retirement	

Increase:

001-3310-100-0120	2,048
Traffic-Over Time	

001-3310-100-0140	424
Traffic-Part Time Summer Salaries	

001-3310-100-402	2,831
Traffic-Equipment Maintenance and Repairs	

Total	5,303
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Decrease:

001-8010-100-0407	20
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Zoning-Special Services

Increase:

001-7510-100-0418	20
Historian-Telephone	

Decrease:

003-5110-100-0102	8,148
Highway Roads-Salaries	

003-5110-100-0410	1,058
Highway Roads-Materials and Supplies	

003-5110-100-0416	4,538
Highway Roads-Rentals	

003-5110-100-0436	4,918
Highway Roads-Insurance Premiums	

003-5120-100-0410	500
Highway Bridges-Materials and Supplies	

003-5130-100-0240	5,800
Highway Machinery-Other Equipment	

003-5130-100-0479	3,026
Highway Machinery-Auto Body Work	

003-5142-100-0102	1,336
Highway Snow Misc-Salaries	

003-5142-100-0120	17,931
Highway Snow Misc-Over Time	

003-9000-100-0810	15,427
Highway Benefits-New York State Retirement	

003-9000-100-0845	1,262
Highway Benefits-Life Insurance	

003-9000-100-0850	4,682
Highway Benefits-Unemployment Insurance	

003-9000-100-0870	1,506
Highway Benefits-Dental	

003-9000-100-0875	401
Highway Benefits-Vision/Extra CSEA	

003-9000-100-0880 Highway Benefits-Welfare Benefits	1,225
001-1420-100-4430 Law-Gen'l Liability-Self Insurance	15,564
Total	87,322
Increase:	
003-5110-100-0472 Highway Roads-Diesel Fuel	30,788
003-5110-100-0488 Highway Roads-Nike/DOT Leaf Removal	28,981
003-5130-100-0402 Highway-Machinery-Equipment Maintenance and Repairs	27,553
Total	87,322
Decrease:	
001-3120-100-0810 Police-New York State Retirement	70,361
001-3120-100-0830 Police-Social Security	79,780
001-3120-100-0835 Police-Medicare	8,704
001-3120-100-0845 Police-Life Insurance	6,551
001-3120-100-0850 Police-Unemployment Insurance	6,242
001-3120-100-0870 Police-Dental	23,808
001-3120-100-0875 Police-Vision/Extra CSEA	8,139
001-3120-100-0876 Police-Optical Reimbursement	11,016
001-9000-100-0810 Town Benefits-New York State Retirement	170,000

001-9000-100-0830	4,992
Town Benefits-Social Security	

Total	389,593
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Increase:

001-3120-100-0840	389,593
Police-Workers Compensation	

Decrease:

011-3411-100-0151	2,749
Fire District #2-Sick Incentive Payout	

011-3411-100-0182	3,762
Fire District#2-Salaries-Vac and Ret	

011-3411-100-0240	20,352
Fire District#2-Other Equipment	

011-3411-100-0401	848
Fire District#2-Building Maintenance and Supplies	

011-3411-100-0404	3,143
Fire District#2-Fuel	

011-3411-100-0407	2,500
Fire District#2-Special Services	

011-3411-100-0410	2,162
Fire District#2-Materials and Supplies	

011-3411-100-0418	2,041
Fire District#2-Telephone	

011-3411-100-0420	3,003
Fire District#2-PASNY	

011-3411-100-0422	2,015
Fire District#2-Gas Heat	

011-3411-100-0423	1,923
Fire District#2-Uniforms/Shoe/Tool Allow	

011-3411-100-0428	500
Fire District#2-Legal Notices	

011-3411-100-0430	500
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Fire District#-Printing and Stationary	
011-3411-100-0433	800
Fire District#2-Memberships and Dues	
011-3411-100-0445	1,063
Fire District#2-Books and Publications	
011-3411-100-0470	1,516
Fire District#2-Gasoline	
011-3411-100-0476	1,696
Fire District#2-Software Maintenance	
011-3411-100-0479	1,960
Fire District#2-Autobody	
011-9000-100-0810	3,154
Fire District #2 -New York State Retirement	
011-9000-100-0830	19,462
Fire District#2-Social Security	
011-3411-100-0840	5,267
Fire District#2-Workers Compensation	
011-3411-100-0870	3,247
Fire District#2-Dental	

Total	83,663
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Increase:

011-1900-100-4461	31,361
Fire District#2-Judgment and Claims	
011-3411-100-0120	52,302
Fire District#2-Over Time	

Total	83,663
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Decrease:

013-9000-100-0810	6,736
Sewer Mtce Benefits-New York State Retirement	
013-9000-100-0804	316
Sewer Mtce Benefits-Payment of MTA Payroll Tax	

013-9000-100-0830	2
Sewer Mtce Benefits-Social Security	

Total	7,054
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Increase:

013-8120-100-0120	2,756
Sewer Mtce-Over Time	

013-8120-100-0410	789
Sewer Mtce-Materials and Supplies	

013-8120-100-0419	3,422
Sewer Mtce-Electric & Gas/Con Edison	

013-8120-100-0421	87
Sewer Mtce-Water Utility	

Total	7,054
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Decrease:

013-9000-100-0880	54
Sewer Mtce Benefits-Welfare Benefits	

Increase:

013-9501-100-0907	54
Sewer Mtce-Transfer to Debt Service	

Decrease:

014-3412-100-0416	517
Fire District #3-Rentals	

Increase:

014-1900-100-4461	517
Fire District #3-Judgment and Claims	

Decrease:

001-9000-100-0860	223,849
Town Benefits-Major Medical	

Increase:

001-3120-100-0860	223,849
Police Benefits-Major Medical	

Decrease:

002-7410-100-102 20,287
Library-Salaries

Increase:

002-9000-100-0860 20,287
Library Benefits-Major Medical

Decrease:

012-9730-100-0603 2,000
Water Dist #2-Bond Anticipation Note Principal

Increase:

012-9501-100-0906 2,000
Water Dist #2 Transfer to Other Funds Transfer to Capital

Decrease:

012-9730-100-0703 43,828
Water Dist #2-Bond Anticipation Note Interest

Increase:

12-9501-100-0907 43,828
Water Dist#2-Transfer to Capital

To cover budget line overages in 2011

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

Adopted by the following vote:

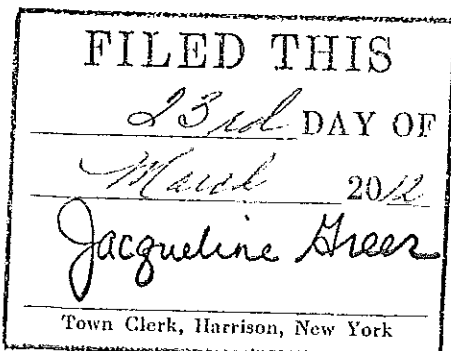
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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☐ Supvs'r



March 15, 2012

2012 - - 120

AUTHORIZATION FOR THE COMPTROLLER TO ACCEPT DONATIONS
FOR THE HOLIDAY PROJECT

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

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization to accept the following donations for the Holiday Project:

Joseph and Diana Minishi	100
Aaron M. Fischman and Lauren S. Chernick	50
Mark L and Laura Patinkin Urken	150
Total	300

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

Adopted by the following vote:

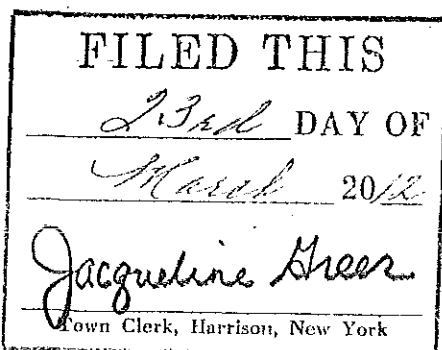
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

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March 15, 2012

2012 -- 121 -- a

CONFIRMATION OF THE APPOINTMENT OF DAVE DONELSON AS
TRUSTEE OF THE HARRISON LIBRARY

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to confirm the appointment of Dave Donelson as a Trustee of the Harrison Library in place and stead of Jeff Wilson, with his term ending December 31, 2015.

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

Copies to:

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☒ Compt'lr
☒ Engrng
☒ Law
☐ Police
☒ P. Wrks
☒ Purch'g
☐ Recr'tn
☒ Supvs'r
☐

FILED THIS

LSed DAY OF

March 2012

Jacqueline Greer

Town Clerk, Harrison, New York

March 15, 2012

2012 -- 121 -- b

CONFIRMATION OF THE APPOINTMENT OF DR. CAREN BEHAR AS
TRUSTEE OF THE HARRISON LIBRARY

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to confirm the appointment of Dr. Caren Behar as a Trustee of the Harrison Library in place and stead of Scott Martin, with her term 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:

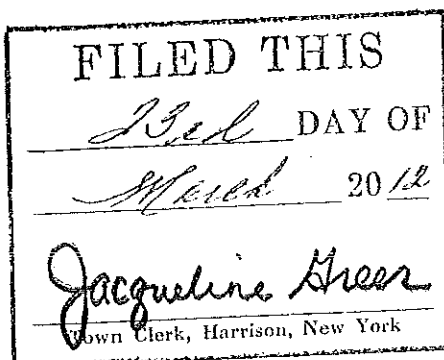
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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✓ Supvs'r



March 15, 2012

2012 - - 122

APPROVAL FOR THE COORDINATOR OF COMPUTER SERVICES TO PURCHASE WEB
BASED INFORMATION MANAGEMENT SOFTWARE TO MEET NEW STATE
MANDATES FOR THE OPEN MEETINGS LAW

Michael Piccini, Coordinator of Computer Services, explained that this is a company that is going to come in and redo our website, give it a face lift. We haven't updated it since 2002. It will also make it easier to post agendas and all the back up that we have to do because of the new mandated changes in the Open Meetings Law. Various departments will be given access to update their own pages and keep track of their own information. Also, this will not be hosted in the town hall. It will be on their servers in a data center so when the power goes off here we will still have a website to post emergency information.

Supervisor Belmont stated that we are trying to enter into the 21st century. It has been a long time and we are long overdue on this. Eleven other communities in Westchester already have this technology on hand with this same vendor.

Harrison resident, Mr. Porto questioned the number of late items on the agenda.

Supervisor Belmont explained the reason he accepted the late items was that the Board was not meeting again for a month. If the next meeting was going to be in two weeks, I would not have accepted these items.

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Coordinator of Computer Services Michael Piccini to purchase web based information management software to meet new state mandates for the Open Meetings Law.

FURTHER RESOLVED that funding in the amount of \$7,450 (3 annual payments) is available in the 2007 Data Processing Capital Budget Account #07DP05.

FURTHER RESOLVED that in the fourth (4th) year the payment will decrease to an annual fee of \$3,950 and will be placed in the operating budget.

FURTHER RESOLVED that the Supervisor is authorized to enter into an agreement with Virtual Towns and Schools.

FURTHER RESOLVED that the Supervisor, upon review of the Law Department, accept and sign the agreement.

March 15, 2012

2012 - - 122

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

Adopted by the following vote:

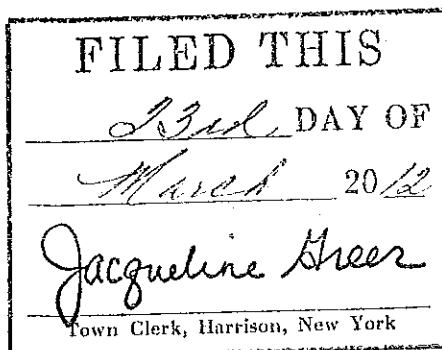
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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March 15, 2012

2012 - - 123

AUTHORIZATION FOR THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT
A GRANT FROM SHOPRITE TO BE USED AS A LINE OF CREDIT
FOR THE FOOD BANK OF WESTCHESTER

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Director of Community Services Nina Marraccini for authorization to accept a Grant from ShopRite in the amount of \$1,000 in four quarterly installments, to be used as a line of credit for Food Bank of Westchester.

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

Adopted by the following vote:

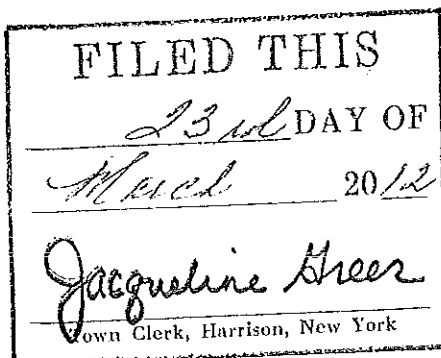
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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March 15, 2012

2012 - - 124

AUTHORIZATION TO ENTER INTO A CONTRACT WITH BFJ PLANNING TO
COMPLETE THE COMPREHENSIVE MASTER PLAN

Harrison resident, Robert Porto said I hope you guys (Speaking to the Board.) are still on the path of trying to save money. I don't know if this is the time to spend \$40,000 on a Master Plan. There is a tax cap that I hope we are going to try and abide by. The Board can, with 60% approval, override that tax cap. I am hoping that you really understand what is going on out there when you don't work for the public sector. I don't know if this is really a good time to do this Master Plan and I hope you are trying to keep the expenses very low.

Harrison resident, Mike LeDore commended the Board for perusing the Master Plan. I think it is something that we need. We have needed it for years. However, there are some concerns that I hope you will take into consideration. Number one, if you use the 2007 draft Master Plan, as a baseline, it may be a mistake. If you recall, in 2007, there was a substantial uproar about certain issues. May of us remember the Public Hearings and the issues regarding density in certain areas. So I am asking you to go very slowly on this. I was at the meeting the other night. I think it was a good meeting for the most part. Although he didn't believe it was very detailed. I think you need to go a little slower than you are planning. We need to start from scratch with this Master Plan and not yet again boilerplate what we did in 2007 with minor changes. They used the 1988 plan then and there were very few changes then. Harrison has changed substantially since that time. In the last six years it has changed and since 1988 it has changed drastically. So please keep that in mind. Secondly at the work session a discussion on the complete environmental impact statement (EIS) was brought up for the entire town. It was briefly discussed. I believe that it is imperative that this Board spend that money for an EIS to complete the Master Plan. If you ignore these costs it is going to be a disservice to all the residents of Harrison because the EIS is the proper tool. It is going to determine the positive and negative effects of any development that we will have. It will offer alternatives that would be construed as the middle ground in any type of development. We see what is happening in the Brentwood and downtown where they knock down a one family home and put up a two family home, sometimes it good, sometimes it's not. I really encourage this Board to go very slowly on this. Look at the EIS, if you have to spend a little extra money on this then do it. Let's do this right.

Harrison resident Chris Hughes said she hopes that the Board will have Public Hearings in all areas of town.

Supervisor Belmont stated that all the Public Hearings that were held are all on file and we will be holding more Public Hearings on this in the future. We are trying to put this town in a positive direction. That is what is needed.

Councilman Malfitano asked where the funding is coming from.

Comptroller Maureen Mackenzie said we have \$18,000 in a prior encumbrance for BFJ specifically for the Master Plan and we have \$30,000 in contingency to cover this.

March 15, 2012

2012 - - 124

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

RESOLVED to approve the request by Supervisor Ron Belmont for authorization to enter into a contract with BFJ Planning to complete the Comprehensive Master Plan at a cost of \$48,000.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
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FILED THIS

23rd DAY OF

March 2012

Jacqueline Greer

Town Clerk, Harrison, New York

March 15, 2012

2012 - -125

COMMENTS BY ATTORNEY PHIL MARRACCINI

Harrison resident, Attorney Phil Marraccini addressed the Board stating that he wants to speak but it is not an agenda item. He is here tonight because back on February 16th he filed an application on behalf of Marianne Feeney. The Board recessed to Executive Session. Prior to the Board reconvening after the session I was informed that the Board was not going to be entertaining the petition and I just wanted, for the record, what the Board's position is with regards to this application.

Village Attorney Jonathan Kraut said he is not sure specifically what the question is. Obviously you know that it is a legislative prerogative as to whether or not to entertain a rezoning petition or not. There is no reason required to be given, it is a purely discretionary act.

Harrison resident, Attorney Phil Marraccini said what he is trying to find out for the record is what's the Board's position? There was a petition filed with the Board. The Board adjourned to Executive Session. I gather that the Board made a decision on this not to go forward. I'm not questioning their ability as a legislative body to adopt legislation or not, but my client is entitled to certain due process rights and I just want to make sure I have a record that is going to document what the Board's position is. I've been told that the Board intends to basically ignore my client and not do anything with regards to this petition. Not act on it, not deny it, and not refer it to the Planning Board but basically to do nothing. I just want that confirmed for the record.

Village Attorney Kraut said it is not whether a legislative body has to act upon it, it is whether they choose to entertain it. As you may know they don't have to choose to entertain a rezoning petition so here is what I would like to do. If you could just submit a letter, we will put it on as an agenda item, if they wish and at that time we would take it up.

Attorney Marraccini said he already submitted a petition, it has been on the Board's agenda, and they have not acted on it. I haven't gotten an official record as to what the Board's position is.

Village Attorney Kraut said if you wish for this to be taken up, rather than under Old Business, submit a letter as to what it is, we will review it and I will speak to the Mayor about putting it on the agenda.

Attorney Marraccini said I think my client is being deprived of their due process as a result of the Board. The Board did take an action. In Executive Session they made a decision. Isn't doing "nothing" a decision?

Attorney Kraut said he would suggest that is pretty much stated case law that a legislative body need not entertain a rezoning petition.

March 15, 2012

2012 - -125

Councilman Cannella said to Attorney Marraccini that to the extent you may or may not be contemplating subsequent actions based upon what the Board does, I can understand where you would want something that would start the timeframe to be able to do that because you don't have an official thing. I think what council suggests is a reasonable thing. It could be a one liner. Then the Board, in fairness, will say something and then you can deal with it.

Attorney Marraccini said Mr. Cannella, in all fairness, what you are doing to my client is not fair. To make me go back, submit another letter to the Board, when the Board knows very well what I am requesting, is not fair to my client. If that is what the Board wants me to do, that is what I'll do. I think it is a heck of a way to treat a taxpayer and a resident of this town.

Councilman Cannella said he doesn't really disagree with Attorney Marraccini. So let me make a suggestion. When the Board goes back into Executive Session, because it went their on advice of council, the Board will make a judgment and perhaps after Executive Session it will do something that will give you finality so that you can take the next step, without your letter. I'm willing to deal with it now but others may not.

Attorney Marraccini said if the answer is we are not going to do anything with it I'm just looking for it on the record. I'm not questioning the Board's power or authority to make any decision. I just want to know and I think my client is entitled to something on the record.

Councilwomen Amelio asked Village Attorney Kraut if this is something that the Master Plan eventually will cover? He replied that the Master Plan would be a controlling planning device that would cover development in all areas of the town. I don't know what specific changes from the existing Master Plan would be contemplated. Theoretically yes, a Master Plan could change the landscape in the way you would look at a particular area of town in terms of density, open space and issues that would impact a sub division. Councilwomen Amelio asked then would it be fair to say that we could defer this particular item pending our Master Plan. Attorney Kraut said that would be one of many choices that the Board can make. The Board could certainly, if it chose to, defer action on a rezoning petition until after it has modified its Master Plan.

Councilwomen Amelio asked Attorney Kraut if that would be the route to go. He replied that certainly would be one.

Harrison resident Lucille Held spoke saying that very infrequently did she ever agree with Attorney Marraccini but she does agree with him now. A citizen has the right to know and be heard. The Board must have made a decision and Attorney Marraccini has a right to know. He is saying that by not making a decision you made a decision. If you ignore it, you made a decision.

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- ☐ Benefit
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- ☐ Police
- ☒ P. Wrks
- ☒ Purch'g
- ☐ Recr'tn
- ☒ Supvs'r

FILED THIS

23rd DAY OF

March 2012

Jacqueline Greer

Town Clerk, Harrison, New York

March 15, 2012

2012 -- 126

MATTERS FOR EXECUTIVE SESSION:

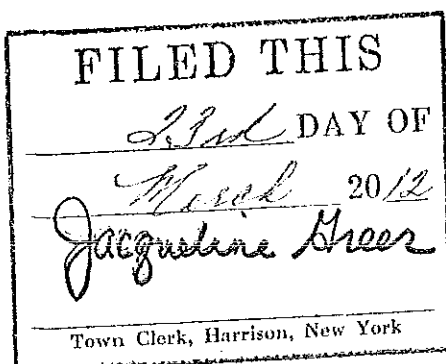
Litigation	5
Real Property	2
Personnel	4
Contracts	2

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed at 8:22 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 10:15 PM.

Copies to:

<input type="checkbox"/>	Assessor
<input type="checkbox"/>	Benefits
<input type="checkbox"/>	Bldg
<input checked="" type="checkbox"/>	Compt'r
<input checked="" type="checkbox"/>	Engrng
<input checked="" type="checkbox"/>	Law
<input type="checkbox"/>	Police
<input checked="" type="checkbox"/>	P. Wrks
<input checked="" type="checkbox"/>	Purch'g
<input checked="" type="checkbox"/>	Recr'tn
<input type="checkbox"/>	Supvs'r



March 15, 2012

2012 - - 127

AUTHORIZATION TO APPROVE CONSENT AWARD OF ARBITRATOR
SUSAN MACKENZIE RE: LOCAL 456, I.B.T. AND THE TOWN OF HARRISON

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED, authorization to approve consent award of arbitrator Susan MacKenzie in the arbitration between Local 456, I.B.T. and the Town/Village of Harrison.

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

Copies to:

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FILED THIS

23rd DAY OF

March 2012

Jacqueline Greer

Town Clerk, Harrison, New York

March 15, 2012

2012 -- 128

AUTHORIZATION TO AMEND TBR #2012-095 TO READ:
APPROVAL TO ADD ROBERT WOLFF TO PART TIME CLEANER IN THE LIBRARY

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to amend TBR #2012-095 to read: approval to add Robert Wolff to Part Time Cleaner in the Library, at \$14 per hour, not to exceed 17½ hours per week.

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

Adopted by the following vote:

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

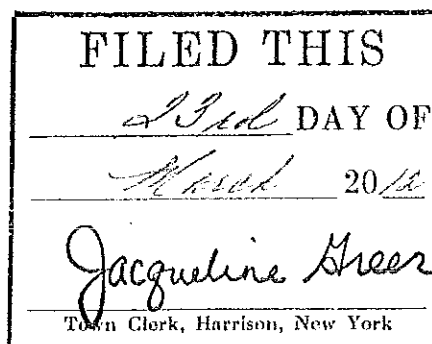
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
with all members voting in favor declared closed at 10:20 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk



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- ☒ Engng
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- ☒ Recr'tn
- ☒ Supvs'r