

June 19, 2014

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, New York, Westchester County, on Thursday, June 19, 2014 at 7:30 PM. Eastern Standard 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

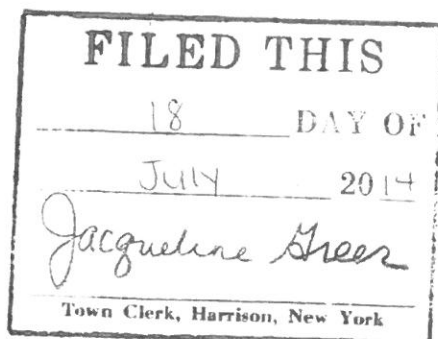
Jonathan Kraut Village Attorney

Christopher Cipolla Deputy Village Attorney

Maureen MacKenzie Comptroller

Anthony Robinson Commissioner of Public Works

Mark Heinbockel Town Assessor



Copies to:
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☒ Law
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☒ Purch'g
☒ Rec'n
☒ Supvs'r

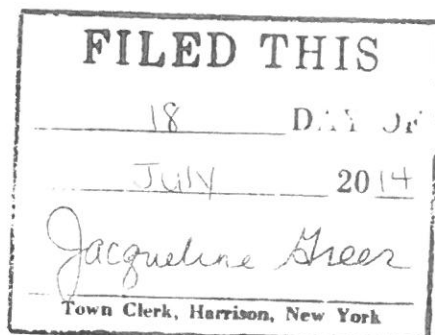
June 19, 2014

2014 - - 242

PRESENTATION OF CERTIFICATE OF ACHIEVEMENT BY
SUPERVISOR BELMONT AND THE TOWN BOARD TO
HARRISON RESIDENT LUCY DIQUINZIO

Harrison resident Ben DeFonce said that tonight is a very special night. We have Lucy DiQuinzio and her family here tonight. Lucy is celebrating her 100th birthday.

Supervisor Belmont presented Mrs. DiQuinzio with a Certificate of Achievement to commemorate her 100th birthday.



Copies to:

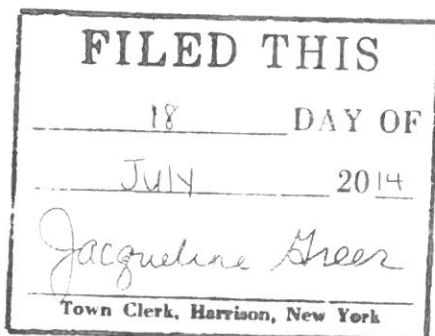
- ☒ Assessor
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- ☒ Bldg
- ☒ Compt'r
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- ☒ Law
- ☒ Police
- ☒ P. Wrks
- ☒ Purch'g
- ☒ Recr'tn
- ☒ Supvs'r

June 19, 2014

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PRESENTATION OF CERTIFICATE OF ACHIEVEMENT BY
SUPERVISOR BELMONT AND THE TOWN BOARD TO
HARRISON HIGH SCHOOL 2014 GRADUATE JENNA LEFKOWITZ
FOR BEING NAMED A NATIONAL MERIT SCHOLARSHIP FINALIST

Supervisor Belmont said that as part of an effort to highlight the accomplishments of Harrison's young people, The Town Board would like to present Harrison High School 2014 graduate, Jenna Lefkowitz with a Certificate of Achievement for being named a National Merit Scholarship finalist.



Copies to:

- ☒ Assessor
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- ☒ Law
- ☒ Police
- ☒ P. Wrks
- ☒ Purch'g
- ☒ Recr'tn
- ☒ Supvs'r

June 19, 2014

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ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to accept the following correspondence and reports:

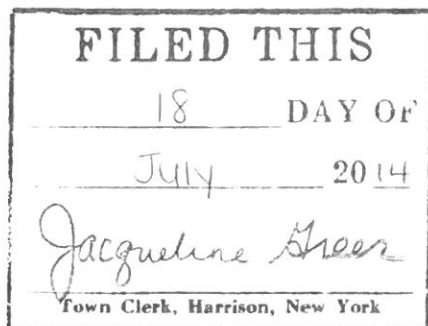
1. Monthly report by the Acting Fire Marshal for May 2014.
2. Monthly report by the Building Inspector for May 2014.
3. Monthly report by the Town Clerk for May 2014.
4. Monthly report by the Receiver of Taxes for May 2014.
5. Monthly report by the Commissioner of Public Works for May 2014.
6. Monthly report by the Superintendent of Recreation for May 2014.
7. Monthly report by the Chief of Police for May 2014.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

- ☒ Assessor
- ☒ Benefits
- ☒ Bldg
- ☒ Compt'r
- ☒ Engrng
- ☒ Law
- ☒ Police
- ☒ P. Works
- ☒ Purch'g
- ☒ Rec'n
- ☒ Supvr

June 19, 2014

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PUBLIC HEARING RE: A FRANCHISE AGREEMENT WITH
VERIZON NEW YORK, INC. FOR CABLE SERVICES

TOWN-VILLAGE BOARD OF HARRISON

PUBLIC HEARING

PUBLIC HEARING ON PROPOSED FRANCHISE AGREEMENT WITH
VERIZON NEW YORK, INC.

June 19th, 2014
7:30 p.m.

The above entitled matter held on the 19th day in June of 2014 at 7:30 p.m., at the Alfred F. Sulla, Jr. Municipal Building in the Town/Village of Harrison Meeting Room, One Heineman Place, Harrison, New York, 10528, before, HAILEY A. CONTE, a Certified Court Reporter and Notary Public within and for the State of New York.

COURT REPORTER & NOTARY PUBLIC
Hailey A. Conte
50 Puritan Drive
Scarsdale, New York 10583
HaileyConte426@gmail.com
(646) 879-7812

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A P P E A R A N C E S:

TOWN VILLAGE OF HARRISON BOARD:

- Ronald Belmont-Supervisor/Mayor
- Fred Sciliano- Councilman/Trustee
- Joe Cannella-Councilman-Trustee
- Stephen Malfitano-Councilman/Trustee
- Marlane Amelio-Councilwoman/Trustee
- Jackie Greer-Town/Village Clerk

TOWN VILLAGE OF HARRISON - LAW DEPARTMENT

- Frank P. Allegretti - Town Attorney
- Jonathan Kraut - Village Attorney
- Christopher Cipolla - Deputy Village Attorney

1 MR. KRAUT: We are going to ask at
2 the conclusion of your hearing that you
3 specifically resolve to carryover any
4 comments from the hearing into the Village
5 agenda as well so that as a co-terminus town
6 any action that we take as a Town will do
7 the same thing with regard to the Village.

8 If you want to just announce what the
9 hearings were because I know we have two
10 listed for today.

11 THE MAYOR: Number one, is a
12 franchise agreement with Verizon New York
13 cable services for the Town-Village of
14 Harrison.

15 MR. KRAUT: Just to sort of tee this
16 up, this is a public hearing for the public
17 to make comments on it.

18 Obviously, there has been an ongoing
19 process that goes back for some time. What
20 we are going to do first is I am just going
21 to introduce for the clerk's records certain
22 documents for the public record.

23 The first has been marked as Exhibit
24 1 and that is the affidavit of publication
25 with regard to this public hearing and I

1 will hand that to the clerk as our first
2 exhibit.

3 The second exhibit is the transmittal
4 letter from Verizon dated June 5th, 2014 to
5 the Town Clerk, Jacqueline Greer, enclosing
6 the proposed cable franchise agreement and
7 also pursuant to 16 NYCRR section 894.5, the
8 application of Verizon to the Town. We will
9 file that as Exhibit 2.

10 Exhibit 3 is a notification from
11 Verizon sent to David Ellin (Ph.) Executive
12 Vice President and general counsel for
13 Cablevision and we file that as Exhibit 3 in
14 the public hearing.

15 Exhibit 4 is the requisite
16 application for cable television franchise
17 by Verizon that had accompanied the earlier
18 correspondence, that is marked as Exhibit 4.

19 Exhibit 5 is a letter dated June 17,
20 directed to Mayor Belmont and copied to all
21 the town board members by Dan Ahouse,
22 A-H-O-U-S-E, area director of government
23 affairs for Cablevision and that contained
24 comments of Cablevision concerning
25 Verizon's proposed cable television

1 franchise in the Town-Village of Harrison.

2 Along with it is a draft noted
3 thereon subject to final approval by
4 Cablevision, a proposed Cablevision
5 franchise agreement between the town and CSC
6 acquisition operated by Cablevision.

7 In essence this is a proposal to
8 change the terms of their existing franchise
9 agreement with the town, and we submit that
10 to the clerk as Exhibit 6.

11 Exhibit 7 is a seven page document
12 that has a sequence, and there are more than
13 one on some of the pages, of comments that
14 were submitted to the town in connection
15 with this application and that is
16 collectively submitted to the clerk as
17 Exhibit 7.

18 Exhibit 8 is a transmittal letter
19 June 19, 2014 which is a revised draft of
20 the proposed Verizon agreement and that was
21 submitted to the Law Department under the
22 signature of Pamela Goldstein on behalf of
23 Verizon. She is the assistant general
24 counsel and that is Exhibit 8.

25 And then, along with that document,

1 is what we have marked as Exhibit 9 in this
2 public hearing which is the proposed cable
3 franchise agreement between the Town-Village
4 of Harrison and Verizon New York and that
5 accompanied the letter that was marked as
6 Exhibit 8.

7 Lastly, we have Exhibit 10. Exhibit
8 10 is a confirmation email. That is an
9 acknowledgment email that acknowledged by
10 Cablevision receipt from Pamela Goldstein,
11 who is assistant general counsel of Verizon
12 a copy of essentially what is Exhibit 9 and
13 Exhibit 8 which preceded this, this
14 confirmation their receipt of the proposed
15 modified agreement is handed up to the clerk
16 as Exhibit 10.

17 That concludes the base exhibits for
18 consideration of the hearing at this time.

19 The next step is to hear public
20 comment and certainly we can hear public
21 comment, as courtesy to the applicant, if
22 there is a representative from the applicant
23 here and wishes to speak, we'd invite them
24 to the podium to identify themselves and
25 make any comments that they wish to.

1 MS. GOLDSTEIN: Good evening

2 Mr. Mayor, members of the board, my name is
3 Pamela Goldstein and I am assistant general
4 counsel at Verizon.

5 With me here tonight is Verizon's
6 outside counsel John Harrington of the Kirby
7 Harrington Law Firm and Verizon's FTTP
8 projet manager Jose Silva.

9 We are delighted to appear before you
10 and to be taking this historic first step
11 towards allowing Verizon to provide video
12 choice and competition to Harrison consumers
13 for the first time in almost 40 years.

14 Verizon has worked diligently with
15 the municipality to introduce the benefits
16 of competition through a robust franchise
17 agreement that is legally sound, fulfills
18 Harrison's cable related needs, and will
19 enable Verizon to compete head on with
20 Cablevision on a competitively neutral
21 basis.

22 Verizon has made a tremendous
23 investment in the municipality by building a
24 100 percent fiber to the premises or FTTP
25 technology commonly known as FIOS.

1 This service is competitive
2 alternative to the video services offered by
3 the incumbent cable and satellite providers.

4 Almost a decade ago the New York
5 Public Service Commission recognized that
6 Verizon obtained independent authority to
7 upgrade its telecommunications network with
8 FTTP. Verizon has complied and will
9 continue to comply with all local time,
10 place, and manner permitting requirements.

11 With your indulgence, I would like to
12 take a few minutes to give you an overview
13 of the process and the agreement.

14 In terms of process the PSC created
15 in 2005, with the advent of competition, a
16 level playing field requirement that you
17 will be hearing a lot about tonight, no
18 doubt.

19 The commissions level playing field
20 role as I'll call LPF contained in 16 NYCRR
21 895.3 provides that no municipality may
22 award or renew a franchise for cable
23 television service which contains economic
24 or regulatory burdens which when taken as a
25 whole are greater or lesser than those

1 burdens placed upon another cable television
2 franchisee operating in the same franchise
3 area.

4 In its very first confirmation order
5 approving a competitive Verizon franchise
6 the PSC established that a level playing
7 field analysis must focus on each agreement
8 as a whole and that precise mathematical
9 equality is not required.

10 Further, that immaterial or
11 speculative differences in the burdens
12 imposed on competing providers would not be
13 taken into account. Rather, the intent of
14 the rule is to maintain flexibility while
15 ensuring fairness among the various parties.

16 To ensure fairness, the regulations
17 also contemplate a role for the incumbent
18 cable provider during the competitive
19 franchising process.

20 By way of context, John Harrington
21 and I have been doing this for almost a
22 decade and can personally attest to the fact
23 that our counterparts at Cablevision, whom
24 we've known for a long time and some of whom
25 are here tonight in almost every instance

1 actively participate in the hearing process
2 and provide written advocacy.

3 Despite their pro competitive
4 rhetoric however, this advocacy is simply
5 the reaction of an entrenched incumbent
6 provider who would prefer to avoid or delay
7 the arrival of meaningful competition.

8 While basing arguments on the level
9 playing field, these are utterly without
10 merit and are predicated on its self serving
11 effort to protect its market dominance. And
12 at the present time the field is as tilted
13 in Cablevision's favor as it could possibly
14 be.

15 With that background, I'd like to
16 highlight the many similarities between the
17 agreements despite Verizon's position as a
18 brand new market entrant.

19 Both companies are required to pay a
20 franchise fee to the municipality of
21 five percent of gross revenues and both
22 companies have agreed to waive application
23 of the franchise fee as an offset against
24 the special franchise tax payable pursuant
25 to section 626 of the New York Real Property

1 Tax Law.

2 Further, both companies base gross
3 revenue on the same revenue base. Both
4 companies are required to pay interest on
5 late franchise fee payments. Both companies
6 are required to reimburse the town up to
7 \$7,500.00 if an audit determines that
8 payment to the municipality should be
9 increased by five percent or more.

10 Both companies are required to
11 provide a security in the amount of
12 \$30,000.00 to secure performance of their
13 franchise obligations.

14 Both companies are required to
15 promptly restore municipal property to
16 pre-existing condition.

17 Both companies are required to
18 connect at their expense as other than a
19 standard installation charge. All
20 residential dwelling units within 250 feet
21 of trunk or feeder lines.

22 Both companies are required to
23 maintain excess liability or umbrella
24 coverage of at least 10 million dollars.

25 Both companies are required to comply

1 with the municipality's local time, place
2 and manner permitting requirements.

3 Both companies are required
4 to indemnify the municipality for claims
5 arising out of the franchise.

6 Both companies are required to
7 provide at least three and possibly four PEG
8 channels subject to usage triggers.

9 Both companies are required to
10 provide direct PEG access connections to up
11 to four locations in the municipality
12 including Harrison High School, Town Hall
13 and the Louis Klein Middle School.

14 Both companies are required to
15 provide free cable service to up to 39
16 municipal and school buildings.

17 Both companies required to provide
18 funding of the municipality in support of
19 local public educational and government
20 accessed programming.

21 Cablevision has pointed out in its
22 June 17, 2014 letter which was entered into
23 the record, there are some differences in
24 distinct franchise provisions.

25 I would like to touch on some of

1 these briefly and if there are follow-up
2 questions after public comment I would be
3 more than happy to answer them.

4 First, free service. Since there is
5 no provision of federal or state law
6 mandating Verizon to provide free cable
7 service, this is only relevant, if at all,
8 in the context of a level playing
9 field analysis.

10 Apparently, Cablevision provides its
11 family cable service to municipal buildings.
12 This package contains more channels than the
13 basic service that Verizon will provide free
14 of charge.

15 Cablevision asserts that this has an
16 incremental value of \$146,000.00 but has
17 provided no data to support that claim.

18 This burden is a small percentage of
19 a total revenue at issue in a municipality
20 the size of Harrison.

21 Cablevision currently has 100 percent
22 of cable subscribers. It also disregards
23 the costs to Verizon as a new market entrant
24 of bringing the free service drops into the
25 buildings when, at least for a substantial

1 portion of the franchise agreement term, it
2 will have far fewer subscribers than
3 Cablevision from whom to recover its costs.

4 And in any event, as the PSC stated
5 in 2006, the LPF rule does not preclude the
6 existence of different franchise terms for
7 different companies as they roll out their
8 cable service should events and
9 circumstances so warrant.

10 Second, build-out. Cablevision is
11 required to make service available to
12 residents throughout the entire
13 municipality. Verizon, on the other hand,
14 is required to serve residents within a
15 defined franchise area of the municipality.

16 The PSC has explicitly acknowledged
17 the right of cable television companies to
18 enter into agreements that do not cover an
19 entire municipality and Cablevision itself
20 enjoys such an arrangement just southwest of
21 New York City where it is required only to
22 serve Brooklyn and the Bronx and in other
23 areas of the state such as the Town of
24 Poughkeepsie where it and Time Warner
25 provide service in separate not overlapping

1 portions of the town.

2 The PSC recognized that limited
3 franchise area definition served the public
4 interest. This past January the PSC
5 approved Verizon's franchise agreement with
6 the Village of Pinellas which, just like
7 Harrison's proposed agreement, contains a
8 franchised area definition that is limited
9 to the area within which Verizon has already
10 built out its FTTP facilities.

11 Moreover, in 2009 the PSC approved
12 Verizon's agreement with the Town of Cicero,
13 another agreement that covered only a
14 portion of the municipality finding that
15 such an agreement was consistent with public
16 policy since with the emergence of
17 competition allowing geographically limited
18 franchises is reasonable and may foster
19 competition.

20 Finally, the PEG grant. It is well
21 established that PEG grant's obligations of
22 competing franchisees must be prepared on a
23 going forward basis only and that
24 expenditures made by Cablevision before
25 Verizon's market entry are some costs that

1 are not relevant to a competitive neutrality
2 or level playing field analysis.

3 Cablevision erroneously argues that
4 Verizon's PEG grant obligation to Harrison
5 will be capped at \$135,000.00 in complete
6 disregard for the per subscriber formula
7 that can result in substantially higher
8 payments to the municipality as Verizon's
9 market share increases.

10 Cablevision also argues that under
11 Verizon's proposal the municipality will
12 receive \$45,000.00 less from Verizon than
13 Cablevision and will trigger a \$45,000.00
14 decrease in PEG funding for Cablevision.
15 This is incorrect.

16 Verizon is providing a PEG grant that
17 is designed to make the municipality whole
18 if Cablevision reduces its PEG grant
19 payments on a going forward basis by
20 establishing a payment floor, not a ceiling.

21 Recognizing Cablevision's dominant
22 role in the market and Verizon's role as a
23 new entrant, the burden ultimately imposed
24 on a per subscriber basis on Cablevision
25 will be a fraction of the effective cost per

1 subscriber associated with Verizon's
2 payments.

3 Further, to highlight the unseemly
4 nature of Cablevision's claims regarding the
5 disparities in PEG funding, the company,
6 Cablevision went to tremendous lengths in
7 2010 doing its own confirmation proceedings
8 for its renewal agreement to maintain in
9 tact section 5.3.2 of its agreement, a
10 provision that provides Cablevision in its
11 own words, contractual assurance that will
12 not be subject to a competitive disadvantage
13 with respect to PEG funding obligations.

14 Cablevision stated that this is a
15 self executing remedy in the event Verizon
16 is allowed to enter the cable market in the
17 town subject to PEG terms that are more
18 advantageous or less burdensome.

19 Cablevision explicitly recognized
20 that nothing in its agreement binds the town
21 into imposing -- this is Cablevision's
22 words, identical equal cash grant payment on
23 Verizon or otherwise prohibits the
24 establishment of different PEG franchise
25 terms for subsequent franchisees.

1 Instead, Cablevision's agreement
2 contains a contractual remedy PEG parity is
3 not obtained. So the very harm that
4 Cablevision cites is entirely within their
5 power to remedy.

6 Further, due to Verizon's -- market
7 share, it is Verizon, not Cablevision, that
8 will bear the greater economic burden on the
9 going forward PEG grant basis.

10 Cablevision also cited a number of
11 other meaningless disparities between the
12 agreements. However, these items are
13 speculative or based on obligations that are
14 already imposed on Verizon by applicable
15 law, and in any case, ill defined in terms
16 of economic impact and counterbalanced by
17 Verizon's status as a new market entrant.

18 Cablevision's claims must be
19 considered in the very narrow context in
20 which they are offered, to promote its own
21 pecuniary interest in forestalling Verizon's
22 market entry at all costs. It is imperative
23 that you review them and Cablevision's
24 grievances in this very narrow context.

25 It took many years to get here and

1 Verizon is very eager to start offering FIOS
2 TV service to Harrison residents who are
3 here tonight to speak their mind about
4 wanting competition and choice.

5 I would be more than happy to answer
6 any questions you may have. Thank you for
7 your time and consideration.

8 MR. KRAUT: Thank you.

9 (Whereupon the audience applaud.)

10 MR. KRAUT: At this time we would
11 like to invite up to the podium any members
12 of the public who wish to provide a comment
13 directing at the board concerning this
14 proposal.

15 MR. FUNCK: Good evening, my name is
16 Bob Funck. I live here in Harrison in a
17 cooperative development with about 250
18 families.

19 Verizon installed their FIOS
20 infrastructure in both of our buildings
21 probably seven or eight years ago to the
22 extent that I have a fiberoptics drop in the
23 front hall closet of my unit.

24 And in anticipation of getting the
25 service, at that time, I actually had an

1 electrician install an electrical outlet in
2 that closet so I would be able to connect up
3 the premise equipment that Verizon requires.

4 Unfortunately Verizon's investment
5 and mine in that infrastructure has been
6 useless because without the ability to both
7 have the internet service as well as
8 broadcast and cable television channels,
9 FIOS is of no use or is of no interest to
10 me.

11 Now, over the years I have made
12 numerous requests to both Verizon and the
13 town as to why the television services were
14 not available in our community when it seems
15 to me that in every surrounding community
16 where FIOS had been installed, a full suite
17 of services was available.

18 So I guess I would urge the town to
19 move forward as expeditiously as possible on
20 this franchise application.

21 What I was really hoping to hear this
22 evening, which I don't know if I will, was
23 either an explanation from the Board or the
24 FIOS representative as to why, as the FIOS
25 representative said, it's taken many years

1 to get here.

2 Why has it taken so long? I have
3 made requests over the years and never had a
4 clear explanation from anyone.

5 THE MAYOR: Mr. Funck, make sure you
6 sign your name to the pad.

7 MR. FUNCK: Sure.

8 MR. KRAUT: If the speakers could,
9 each as you speak --

10 (Whereupon the audience applaud.)

11 MR. KRAUT: If you could as you speak
12 just identify both your name and your
13 address.

14 DR. LIEBERMAN: I'm Dr. Beth
15 Lieberman. I live at 2 Legend Court in West
16 Harrison and I too have been complaining for
17 many, many years about not having the
18 ability to choose between Cablevision,
19 Direct TV and FIOS.

20 Our internet service and telephone
21 was so terrible with Cablevision. As soon
22 as FIOS was drawn to our house we got the
23 internet and our telephone line back.

24 We've never had a problem with the
25 internet. It's excellent. And I've

1 been complaining since that time about the
2 television.

3 Our Cablevision bill is now over
4 \$250.00 a month, just the TV and nothing
5 else. My daughter lives in Scarsdale. My
6 friend lives in Thornwood.

7 Everyone has FIOS and is very happy
8 with it and I am really incensed that FIOS
9 has not been allowed to give me the services
10 that I would like. I certainly would like a
11 choice between Cablevision and FIOS.

12 I urge the Board to rapidly approve
13 this so that the residents of Harrison and
14 West Harrison and Purchase have a choice and
15 that Cablevision should not be monopolizing
16 our choice for TV. Thank you.

17 (Whereupon the audience applaud.)

18 MS. PANARCHER: My Darren Panarcher
19 (Ph.) and I thank the Mayor and the Board
20 for allowing all of us to speak tonight.

21 This is an important issue for us
22 because many of us like me, I have a
23 business at home. I have a global business.
24 We are the alternate energy development
25 business.

1 We have offices in Canada, The UK,
2 Georgia, and we also have a lot of work that
3 we do internationally.

4 It's critically important for me to
5 have internet and phone service that is
6 reliable.

7 I cannot and will not ever switch
8 from FIOS. We were one of the first in our
9 neighborhood to have FIOS and for me to do
10 business, to conduct business, I have to
11 have a reliable service.

12 Therefore, it's a restraint of trade
13 because what happens is I am not allowed to
14 then bundle my services to have a lower
15 overall bill. And all of us who know, it is
16 almost impossible to lower fixed expenses.

17 Our taxes continue to rise as do our
18 fixed expenses and when you have the ability
19 to lower a fixed expense, that is very,
20 very, important to everyone here.

21 So I am hoping that finally after
22 much time researching, I have called Verizon
23 five years ago, I actually spoke to a group
24 in Virginia that explained the situation to
25 me why we do not have Verizon service here

1 in Harrison, I actually have more of a
2 campaign going on.

3 The Mayor actually sent me back an
4 email I sent him over a year ago because he
5 asked me to put this grievance in writing.

6 So I am certainly hoping that tonight
7 we can resolve this and get fair trade of
8 service.

9 MS. CARLSON: Hi, my name is April
10 Carlson. I live at 103 Columbus Avenue in
11 West Harrison. I may live in the same co-op
12 that Mr. Funck -- is that who it was?

13 MR. FUNCK: A different development.

14 MS. CARLSON: Okay. Well, I am going
15 to make this short and sweet. I am pleased
16 that both Verizon and the town have decided
17 to revisit the FIOS franchise.

18 And I'd like to comment, the
19 residents in Harrison should have a choice
20 in TV service providers.
21 Competitive pricing is a good thing. It can
22 only work to our advantage.

23 Thank you very much.

24 MR. SMITH: Hi, my name is Brian
25 Smith. I am a resident of Harrison. And

1 unlike the other people who have spoken on
2 behalf of their interest in FIOS, I am also
3 an employee of Verizon, but I'm here
4 speaking as a resident of Harrison.

5 I would just like to say, I do enjoy
6 my job. I get to watch fantastic TV in all
7 the surrounding municipalities outside of
8 Harrison. I am enjoying the World Cup.
9 There's a lot of great programming on.

10 Then when I come home, I'll find
11 pixilation, which is when the TV jitters and
12 I only have one TV in my house.

13 Even Cablevision customers would have
14 better service in Harrison with competition.
15 They would have to clean up their act.

16 (Whereupon the audience applaud.)

17 MR. FAULK: Good evening, Mr. Mayor,
18 members of the council, public. My name is
19 Adam Faulk.

20 I am vice president of government
21 affairs with Cablevision. I appreciate the
22 opportunity to be here this evening.

23 As stated earlier, we submitted a
24 letter for the record that outlines our
25 concerns with the proposed franchise.

1 I am here to tell you that we are
2 certainly not afraid to compete with
3 Verizon. We compete with them in hundreds
4 of communities around New York State and the
5 tri-state area.

6 We simply ask that the franchise be
7 provided on a level playing field, that
8 equal competition is, I think, as American
9 as apple pie and that it is imperative that
10 the town address the things that Cablevision
11 has raised in its correspondence with you.

12 We have submitted a proposed modified
13 franchise agreement for you. That agreement
14 sets forth the things that we believe, based
15 upon our read of the proposed Verizon
16 franchise agreement, would make competition
17 level and fair in the community.

18 I think that we have been a good
19 corporate citizen here in the town for many
20 years. We have provided many public
21 benefits and we have the right to have
22 competition be provided fairly and equally.

23 I just want to highlight a few of
24 those things. I see Paul Valentine here who
25 is the cable commission chair and someone

1 who we have worked with for many years.

2 Paul has been at the forefront of
3 demanding, in the cable franchise process
4 certain benefits coming back to the
5 residents and the town.

6 And unfortunately some of those
7 benefits that the town fought very hard for
8 and aggressively for in the past, and in
9 some cases were depastures in terms of
10 Cablevision's ordinary franchizing benefits
11 that it provides in these franchise
12 agreements.

13 Despite those things, we provided
14 them here in Harrison in order to address
15 what the cable related needs are of this
16 community and unfortunately you see in the
17 proposed Verizon agreement, that some of
18 those benefits are not present.

19 Most notably the free service
20 commitment. There is a commitment to
21 provide free services up to 39 locations
22 here in the town; the schools, the
23 libraries, the municipal building and in
24 Cablevision's agreement it's very clear and
25 explicit that be provide those services at

1 the basic level and at the expanded basic or
2 family level. Cablevision has a tier of
3 programming optimum value \$64.95.

4 The basic service that Verizon is
5 offering for free in its franchise agreement
6 is a much lesser tier of service.

7 Ms. Goldstein said she was unaware of
8 how we calculated the \$146,000.00 in offset
9 between the Cablevision benefit and the
10 Verizon benefit. Simply put \$12.99 for
11 basic service versus \$64.95 for an optimum
12 value with probably 100 more channels that
13 we provide multiplied by six years, 12
14 months a year and 39 locations.

15 And it's very clear that the benefit
16 being provided by Verizon is significantly
17 less than the benefit offered by
18 Cablevision.

19 I think it is incumbent, as we put
20 into the proposed agreement, that if that is
21 the benefit that the town believes is
22 necessary, and that the expanded basic or
23 value service is not a benefit, that it
24 needs to require of all operators, then it
25 should simply modify our franchise this

1 evening in order to address that.

2 In terms of the PEG grant, we have
3 been engaged with Verizon in the City Glen
4 Cove very recently and another area where it
5 was unfranchised and they decided to come in
6 and obtain a franchise in that case.

7 After much back and forth over the
8 value of the PEG grant, they made arguments
9 that the PEG grant should be looked at on a
10 going forward basis in that community.

11 They offered a \$21,000.00 PEG grant
12 and it was determined that Cablevision has
13 \$42,000.00 remaining on its obligation to
14 the town and at the evening of the public
15 hearing they amended the franchise agreement
16 prior to the City Council taking action and
17 addressed that difference.

18 It's very clear that we have
19 \$180,000.00 remaining on the obligation that
20 we have made to the town, \$450,000.00 all
21 told, but \$180,000.00 remaining over the six
22 years and it's very clear despite the
23 discussions about PEG per sub and the amount
24 of customers they are going to have.

25 If you look at their minimum payment

1 it's \$22,000.00, \$22,500.00 over six year
2 constitutes \$135,000.00; \$45,000.00 less
3 than the going forward balance that
4 Cablevision has on its franchise.

5 We simply ask that our agreement be
6 amended to make clear that our obligation
7 only be \$135,000.00 going forward and that
8 would constitute a level playing field or in
9 the alternative, we think that Verizon
10 should step up and provide the same PEG
11 grant that Cablevision has remaining over
12 the six years despite the fact that we've
13 paid quite a bit more than that in years
14 past and offer the town \$180,000.00. Very
15 simple. Very clear.

16 With regard to build-out, the issues
17 that are raised are ones that are before the
18 Public Service Commission now.

19 The fact is that we provide service
20 to virtually 100 percent of the residential
21 areas of the Town of Harrison, that under
22 their proposed franchise, there will be
23 parts of the community that will remain
24 unserved.

25 There will be a system of haves and

1 have-nots, you know, if people have
2 competition, a wire-line competition and
3 other areas where they don't have wire-line
4 competition, the cost associated with
5 build-out particularly in areas that are
6 underground are higher.

7 And what we've seen is that Verizon,
8 time and again, has avoided those areas in
9 places where their costs are higher. And we
10 think that should be addressed in their
11 franchise as well.

12 And we are ready and willing to
13 compete with them here in Harrison. We
14 believe that the town should simultaneously
15 act to amend our franchise to address the
16 concerns that we've raised.

17 And we're certainly happy to take any
18 questions that you might have. Thank you.

19 THE MAYOR: Thank you. Would anyone
20 else like to come so the mic.?

21 MR. KRAUT: Any further public
22 comments?

23 Going once, twice -- I see a hand in
24 the back.

25 MR. BARKER: My name Quent Barker and

1 I am a resident of Harrison for about 12
2 years now and I wanted to give you a couple
3 of perspectives.

4 I'm on the board of a couple of cable
5 companies of where I work, one which is RCN
6 in the city, so I'm sure some of the people
7 here have been customers there and obviously
8 I'm also a customer. So I have a bit of
9 perspective on those sides of the business.

10 I apologize, I had dinner with my
11 family. I missed the opening statement. So
12 if I'm speaking out of line, I apologize in
13 advance.

14 I understand that some of the
15 concerns that the town has had in the past
16 about allowing FIOS to come in has to do
17 with, what it sounds like this discussion
18 was about, making an equivalent level
19 playing field for both companies.

20 I would just say as a resident and a
21 consumer my concern is that whether the town
22 gets the same economics out of FIOS or not
23 is somewhat irrelevant as a tax payer
24 because we back stop the finances of the
25 town. So whether that money goes into the

1 town's budget or not, we will still as tax
2 payers have to make up the difference. So
3 this is not speaking as a cable company
4 shall because this is in opposition to what
5 they would want.

6 But as a resident of the town, I
7 would like to see competition so that even
8 if the town budget doesn't benefit from
9 having the same economics with a provider,
10 at least the citizens get the benefit of the
11 competition and we can use those savings to
12 supplement with what the town needs, as our
13 taxes rise, to offset this lack of finance.

14 MR. FUNCK: Can I make a follow-up
15 comment?

16 MR. KRAUT: From the microphone.

17 MR. FUNCK: It's Bob Funck, again. I
18 would like a couple follow-up comments
19 regarding the remarks made by Verizon and
20 Cablevision representative.

21 First of all I would like to kind of
22 second the comments of the previous
23 gentleman in terms of the amount of funds
24 that accrue to the town from the cable
25 franchise agreement because whether we're

1 paying the money to the town indirectly
2 through our cable bill or directly through a
3 tax levy, it really is irrelevant. One way
4 or the other the citizens of the community
5 are the ones who fund the operations of the
6 town.

7 So I think this whole discussion
8 about the degree of free services that are
9 being provided by Verizon versus Cablevision
10 should be irrelevant.

11 Second of all, the Cablevision
12 representative seemed to make a big point
13 out of the fact that the Verizon franchise
14 agreement would not necessarily cover the
15 entire town.

16 I guess in my point of view,
17 competition for part of the town is better
18 than no competition at all. Thank you.

19 THE MAYOR: Thank you.

20 MR. KRAUT: Thank you. Anyone else?

21 MR. BARKER: Is it all right if I
22 make a follow-up comment?

23 THE MAYOR: Yes.

24 MR. BARKER: From my direct
25 experience and this came out of a board

1 meeting that we had with RCN -- I'll just
2 say that as a competitor to FIOS and some of
3 the markets we operate in, what we typically
4 see happening is, we put a lot more
5 investments into those markets where we're
6 competing, particularly on the data side
7 with high speed.

8 So the earlier gentleman's point,
9 half the town is better than none because
10 people move across town and these cable
11 companies do not want to see somebody
12 disconnect and move five miles away and have
13 another option.

14 So they want to get ahead of that and
15 be competitive and have enough promoters who
16 are as positive as opposed to negative which
17 is where most of them are now, so I would
18 echo that comment.

19 But I think having any competition is
20 going to be very positive for the residents
21 today with the existing service whether they
22 decide to switch or not.

23 THE MAYOR: Thank you.

24 MR. KRAUT: Mr. Mayor, if there is
25 not any other further public comment I just

1 want to -- again, two issues for the town
2 board and then I'd ask you to close the
3 hearing.

4 The first is that, for the benefit of
5 anyone who has an interest that they wish to
6 further address beyond this board it does go
7 up to the PSC for approval. So to the
8 extent that Cablevision has an objection
9 that they feel hasn't been addressed they
10 will have an opportunity there.

11 We can say this, that it has been
12 fully vetted. We are confident that a level
13 playing field does exist in the proposed
14 agreement, period.

15 Second point, just to close it out,
16 is that I know that I have heard that part
17 of the town is better than none. But
18 actually, it really, from our analysis, it's
19 almost all of the town.

20 It's 91 percent of single, two family
21 and three family dwellings and it kicks up a
22 little bit to a higher percentage when you
23 consider multi-families, apartment
24 buildings, et-cetera. So it's really not
25 half the town. It's nearly all the town.

1 So if you could we would ask that you
2 make a motion to close the hearing, carry
3 everything from this hearing into your
4 village agenda, and then if you so choose,
5 to go ahead and vote.

6 MS. AMELIO: I'll make a motion.

7 THE MAYOR: Second?

8 MR. CANNELLA: Second.

9 THE MAYOR: All in favor?

10 MR. CANNELLA: Aye.

11 MR. SCILIANO: Aye.

12 MR. MALFITANO: Aye.

13 MS. AMELIO: Aye.

14 THE MAYOR: Aye.

15 MR. CANNELLA: I'll make a motion
16 that we approve the Verizon franchise
17 agreement and authorize the Mayor to sign
18 this the same, subject to review of the
19 final contract by our legal department and
20 the public record hearing be moved in total
21 to the village board.

22 MS. AMELIO: I'll second it.

23 MR. SCILIANO: Before we vote, I just
24 want to disclose, my company has performed
25 work for Verizon in the past. I am not

1 currently in any contractual obligation with
2 them.

3 When we do work for Verizon it's on a
4 competitive basis and the last time we
5 performed a job for them was January 2013.
6 So while I am not recusing myself, I just
7 want to go on the record that my company has
8 performed work with Verizon in the past.

9 THE CLERK: All in favor?

10 MR. KRAUT: Can we take a role call,
11 please?

12 THE MAYOR: Yes.

13 THE CLERK: Councilman Sciliano.

14 COUNCILMAN SCILIANO: Yes.

15 THE CLERK: Councilman Malfitano.

16 COUNCILMAN MAFITANO: Yes.

17 THE CLERK: Councilman Cannella.

18 COUNCILMAN CANNELLA: Yes.

19 THE CLERK: Councilwoman Amelio.

20 COUNCILWOMAN AMELIO: Yes.

21 THE CLERK: Supervisor Belmont.

22 THE MAYOR: Yes.

23 THE MAYOR: Thank you.

24 (Whereupon the audience applaud.)

25 THE MAYOR: I would just like to say

1 thank you to Paul Valentine member of cable
2 committee, Chris Cipolla who worked very
3 diligently on this contract.

4 (Whereupon the audience applaud.)

5 THE MAYOR: Dr. Bernie Burnbaum has
6 done a great deal to have this accomplished.

7 I thank those people and everyone
8 else in the audience for your persistence to
9 help get this done. Thank you.

10 (Whereupon the audience applaud.)

11 MR. CIPOLLA: I also want to
12 recognize Paul Valentine for all of his hard
13 work.

14 MR. KRAUT: I know council was still
15 here with regard to the cable franchise
16 agreement. If we could just, as set forth
17 in the town board, put a record by
18 incorporation and reference it to the
19 village board which we had discussed
20 earlier. And then at that point, I would
21 ask the board to pass the same resolution in
22 the village.

23 MR. MALFITANO: I will motion that we
24 take the record established under the town
25 board meeting and incorporate that into the

1 village board meeting.

2 MS. AMELIO: I'll second it.

3 MR. CANNELLA: I'll make a duplicate
4 motion to warrant the franchise agreement
5 and sign it and final comments with the
6 review of the law department final agreement
7 and authorize the Mayor to sign it.

8 MR. KRAUT: Role call on that,
9 please.

10 THE CLERK: Trustee Sciliano.

11 TRUSTEE SCILIANO: Yes.

12 THE CLERK: Trustee Malfitano.

13 TRUSTEE MALFITANO: Yes.

14 THE CLERK: Trustee Canella.

15 TRUSTEE CANNELLA: Yes.

16 THE CLERK: Trustee Amelio?

17 TRUSTEE AMELIO: Yes.

18 THE CLERK: Mayor Belmont.

19 THE MAYOR: Yes.

20 (Time Noted 8:52 p.m.)
21
22
23
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25

TOWN VILLAGE OF HARRISON EXHIBIT LIST

- 1 1 Affidavit of publication with regard to
- 2 2 public hearing.
- 3
- 4
- 5 2 Transmittal letter from Verizon dated
- 6 3 June 5th, 2014 to the Town Clerk, Jacqueline
- 7 4 Greer.
- 8
- 9 3 Notification from Verizon sent to David Ellin
- 10 4 (Ph.) Executive Vice President and general
- 11 5 counsel for Cablevision.
- 12
- 13 4 Requisite application for cable television
- 14 5 franchise by Verizon.
- 15
- 16 5 Letter dated June 17, directed to Mayor Belmont
- 17 6 and copied to all the town board members by Dan
- 18 7 Ahouse.
- 19
- 20 6 Proposal to change the terms of their existing
- 21 7 franchise agreement with the town.
- 22
- 23 7 Seven page document that has a sequence of
- 24 8 comments that were submitted to the town in
- 25 9 connection with this application

TOWN VILLAGE OF HARRISON EXHIBIT LIST
(CONTINUED)

8 Transmittal letter June 19, 2014 a revised draft
of the proposed Verizon agreement submitted to the
Law Department under the signature of Pamela
Goldstein on behalf of Verizon.

9 Proposed cable franchise agreement between the
Town Village of Harrison and Verizon New York.

10 Confirmation email.

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C E R T I F I C A T I O N

Certified to be a true and accurate
transcript of the aforesaid proceeding.



HAILEY A. CONTE

June 19, 2014

2014 - - 245 - - B
PUBLIC HEARING RE: A FRANCHISE AGREEMENT WITH
VERIZON NEW YORK, INC. FOR CABLE SERVICES

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

RESOLVED to approve the Verizon Franchise Agreement.

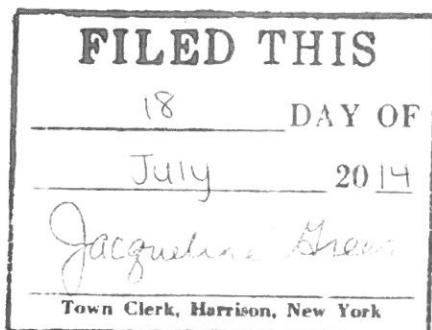
FURTHER RESOLVED to authorize the Supervisor to sign the Agreement, subject to
review by the Law Department.

FURTHER RESOLVED that the public record of this hearing be moved in total to the
Village Board.

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

Adopted by the following Roll Call Vote:

Supervisor Belmont	yes
Councilwoman Amelio	yes
Councilman Cannella	yes
Councilman Malfitano	yes
Councilman Sciliano	yes



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— Assessor
— Benefits
— Bldg
✓ Compt'r
— Engrng
✓ Law
— Police
— P. Wrks
— Purch'g
— Rec'd'n
— Supvs'r

June 19, 2014

2014 - - 245 - - C

AWARDING A CABLE TELEVISION FRANCHISE TO VERIZON NEW YORK,
INC. TO PROVIDE CABLE SERVICE TO THE TOWN/VILLAGE OF HARRISON
AND APPROVING A CABLE FRANCHISE AGREEMENT WITH
VERIZON NEW YORK, INC.

At a regular meeting of the Town/Village Board of the Town/Village of Harrison held at the Municipal Building, 1 Heineman Place, Harrison, New York 10528 at 7:30 PM the following resolution was adopted by the Supervisor/Mayor and the Town/Village Board.

WHEREAS, Verizon New York Inc. desires to use its' network to provide cable television service in the Town/Village of Harrison, and

WHEREAS, Verizon New York, Inc. submitted a written application for a cable television franchise to the Town/Village of Harrison on June 5, 2014, and

WHEREAS, due negotiations between the Town/Village of Harrison and Verizon New York, Inc. have resulted in a proposed "Cable Franchise Agreement" between the Town/Village of Harrison and Verizon New York, Inc., which proposed agreement was filed with the Town/Village of Harrison on June 5, 2014, and

WHEREAS, on June 5, 2014, at a regular meeting of the Town/Village Board, the Town/Village Board scheduled a Public Hearing as required for June 19, 2014 at 7:30 PM to consider a Cable Franchise Agreement between the Town/Village of Harrison and Verizon New York, Inc,

WHEREAS, said Public Hearing was legally noticed as required by law, and

WHEREAS, on this night, June 19, 2014 at the Municipal Building, a Public Hearing was held on the proposed agreement.

NOW, THEREFORE, BE IT RESOLVED that the Town/Village Board authorizes the award of a non-exclusive franchise to Verizon New York, Inc. to own, construct, operate and maintain a cable system along the public rights-of-way within the Town/Village of Harrison in order to provide cable service, and be it

FURTHER RESOLVED that the Town/Village Board authorizes the Supervisor/Mayor to enter into the franchise agreement with Verizon New York, Inc. as attached and execute any and all documents necessary to effectuate the granting of the Franchise on behalf of the Town/Village of Harrison.

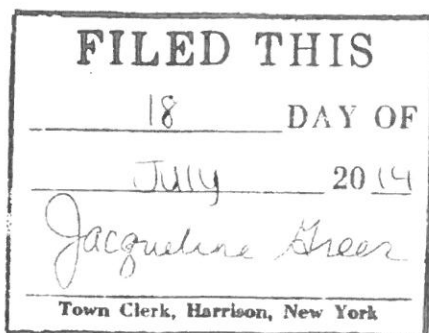
2014 - - 245 - - C (continued)

Motion to approve by: Councilman Cannella

Motion seconded by: Councilwoman Amelio

Adopted by the following Roll Call Vote:

Supervisor Belmont	yes
Councilwoman Amelio	yes
Councilman Cannella	yes
Councilman Malfitano	yes
Councilman Sciliano	yes



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☒ Police
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☒ Recr'tn
☒ Supvs'r

June 19, 2014

2014 - - 246

CONTINUATION OF PUBLIC HEARING
RE: CHAPTER 169 "LANDLORD REGISTRY"

Village Attorney Kraut spoke to Supervisor Belmont and said that he has not received any further comments from the Board and he does not know what the Board's pleasure is with this for this evening.

Councilman Malfitano said my view on this, unless this is something that other members of the Board want to consider, I would just close this and put it to bed. I have no interest in going further with this.

Village Attorney Kraut said we would ask you to begin the Public Hearing so at this point you can invite anyone that wishes to speak. Obviously you heard from us that we would like to see this approved and passed into law. With that being said, if there are not any comments, we would ask that the Board vote for it; notwithstanding that Councilman Malfitano doesn't want to vote for it. In other words, there are five board members. As a matter of process, since the Public Hearing was carried, let's open the public hearing.

Councilman Cannella motioned to open the public hearing and Councilwoman Amelio seconded the motion.

Village Attorney Kraut asked if anyone wanted to comment on this. There were no comments.

Councilman Cannella made a motion to close the public hearing and Councilman Malfitano seconded the motion.

Councilman Malfitano made a motion that we vote not to adopt the Landlord Registry.

Councilman Cannella said he thinks it is reflective of the Board's attitude at the present time that we not further consider this for the time being.

Village Attorney Kraut said given the fact that we have two Board members opposed to this we would ask that of the other three someone would make a motion to adopt this as law.

Councilman Cannella said to Village Attorney Kraut are you challenging the Board's decision.

Village Attorney Kraut said no, I'm trying to prompt discussion.

June 19, 2014

2014 - - 246 (continued)

Councilwoman Amelio said the point is not all of us have to feel the same way and that's well taken.

Councilman Cannella said I vote no.

Village Attorney Kraut said there have been a motion and a second to resolve not to adopt.

Councilman Cannella said we don't have to vote not to adopt anything. If we don't adopt it doesn't happen.

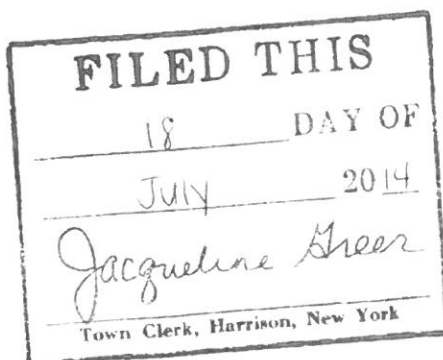
Village Attorney Kraut said you made my point. It fails unless it passes. That's the way it works.

Councilman Malfitano said I suppose you are asking the others for a motion to adopt.

Village Attorney Kraut said yes that is exactly what the law department is asking for. Councilman Cannella said would anybody like to make that motion?

There being no motions the Agenda Item was not adopted.

On motion of Councilman Cannella, seconded by Councilwoman Amelio the Public Hearing was closed.



Copies to:

☒ Assessor
☒ Benefits
☒ Bldg
☒ Compt'r
☒ Engrng
☒ Law
☒ Police
☒ P. Wrks
☒ Purch'g
☒ Recr'n
☒ Supvs'r

June 19, 2014

2014 - - 247

AUTHORIZATION FOR ADDITIONS TO THE PART TIME
AVAILABILITY LIST IN CENTRAL SERVICES

On motion of Councilwoman Amelio, seconded by Councilman Malfitano,

it was

RESOLVED to approve the request by Personnel Manager Debra Scocchera for authorization for the following additions to the Part Time Availability List in Central Services:

Name	Hourly Rate
Joseph Piccini	\$8.00
Michael Piccini Jr.	\$11.00

FURTHER RESOLVED that both employees will be assisting during the summer months with projects, with their combined hours fewer than 17.5 weekly in the I.T. Department.

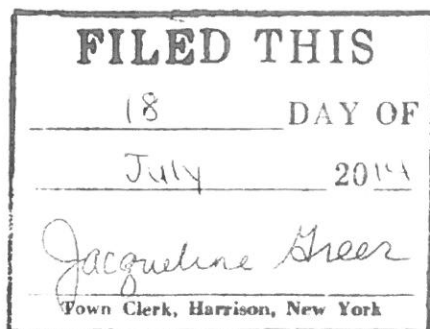
FURTHER RESOLVED to forward a copy of this Resolution to the Personnel Manager, the Comptroller and the Director of Computer Services.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:
✓ Accounts
✓ Benefits
✓ Edg
✓ Compt'r
✓ Eng'g
✓ Law
✓ Police
✓ P. Works
✓ Public
✓ Rec'n
✓ Supv'r
✓ MIS

June 19, 2014

2014 - - 248

AUTHORIZATION FOR ADDITONS TO THE PART TIME AVAILABILITY LIST
FOR RECREATION-CAMP SEASON, EFFECTIVE JUNE 9, 2014

On motion on Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Personnel Manager Debra Scocchera for authorization for the following additions to the Part Time Availability List for Recreation – Camp Season, effective June 9, 2014:

Name	Hourly Rate
Alianna Anselmi	\$10.25
Michelle Attilio	\$9.50
Marco Bonaiuto	\$7.00
Caitlyn Brown	\$6.75/\$7.00 LG
Shannon Callagy	\$6.75/\$7.00 LG
Lucas Cannizzaro	\$7.00
Jennifer Carpenito	\$8.75
Joe DaCorta	\$9.00
Caroline DeCarlo	\$6.75
Jessica Denet	\$7.00
Vinnie DiRenno	\$8.50
Angela Fazzino	\$9.00
Valon Frokaj	\$8.50
Jordan King	\$7.50
Teri Lamar	\$10.00
Kasey Levin	\$7.00
Marilyn Marsico	\$9.00
Scott Nielson	\$7.00
Anthony Oppedisano	\$7.00
Stacie Passarelli	\$9.00
Marileydi Pena-Pineda	\$9.50
Anthony Saccomanno	\$6.75
Rosanne Saracino	\$14.00
Leanna Spoto	\$6.75
Atitaya Tauthong	\$7.50
Tristan Votta	\$7.00

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

2014 - - 248 (continued)

Adopted by the following vote:

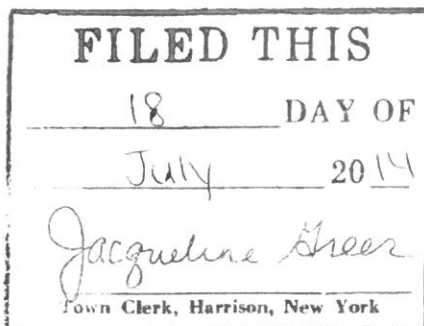
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☒ Benefits
☐ Bldg
☒ Comput'r
☐ Engng
☐ Law
☐ Police
☐ P. Wrks
☐ Purch'g
☒ Rec'n
☐ Supvs'r
☐



June 19, 2014

2014 - - 249

AUTHORIZATION TO HIRE FRANCESCO CICCONE AS AN
ALTERNATE CROSSING GUARD, EFFECTIVE JUNE 9, 2014

On motion of Councilwoman Amelio, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Personnel Manager Debra Scocchera for authorization to hire Francesco Ciccone as an alternate Crossing Guard at an hourly rate of \$19.50, effective June 9, 2014.

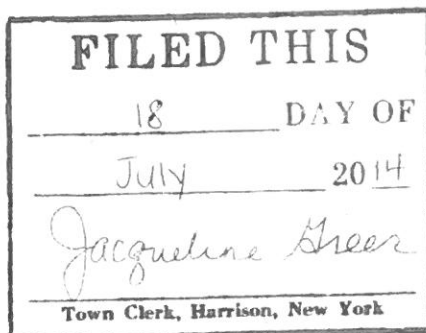
FURTHER RESOLVED to forward a copy of this Resolution to the Personnel Manager, the Comptroller, and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

☐ Assessor
☒ Benefits
☐ Bldg
☒ Comput'r
☐ Engng
☐ Law
☒ Police
☐ P. Wrks
☐ Purch'g
☐ Recr'tn
☐ Supvs'r

June 19, 2014

2014 - - 250

AUTHORIZATION TO HIRE ROBERT KOLASCH AS AN
ALTERNATE CROSSING GUARD, EFFECTIVE JUNE 16, 2014

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Personnel Manager Debra Scocchera for authorization to hire Robert Kolasch as an alternate Crossing Guard at an hourly rate of \$19.50, effective June 16, 2014.

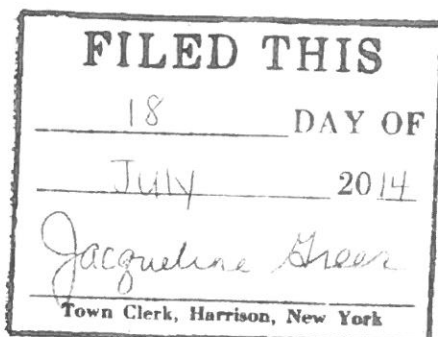
FURTHER RESOLVED to forward a copy of this Resolution to the Personnel Manager, the Comptroller and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

☐ Asst. Sec.
☒ Benefits
☐ Bldg
☒ Compt'r
☐ Engrng
☐ Law
☒ Police
☐ P. Wrks
☐ Purch'g
☐ Rec'n
☐ Supvs'r

June 19, 2014

2014 - - 251

APPROVAL OF A SPECIAL EVENT PERMIT FOR
ST. GREGORY THE GREAT ROMAN CATHOLIC CHURCH
TO HOLD THEIR PARISH PICNIC ON JUNE 22, 2014

On motion of Councilwoman Amelio, seconded by councilman Malfitano,

it was

RESOLVED to approve the request by Building Inspector Robert Fitzsimmons on behalf of St. Gregory the Great Roman Catholic Church for a Special Event Permit to hold their Parish Picnic on Sunday, June 22, 2014.

FURTHER RESOLVED that the permit fee be waived.

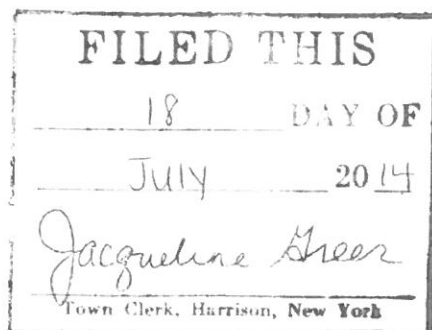
FURTHER RESOLVED to forward a copy of this Resolution to the Building Inspector and St. Gregory's Church.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

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___ Benefits
✓ Bldg
___ Compt'r
___ Engrg
___ Law
___ Police
___ P. Works
___ Pub. Wks
___ Rec'n
___ Supv't
✓ St. Gregory's Church

June 19, 2014

2014 - - 252

APPROVAL TO ENTER INTO A CONTRACT WITH LIGHTPATH FOR A
TELEPHONE SYSTEM FOR THE TOWN HALL AND OUTLYING BUILDINGS

On motion of Councilman Malfitano, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for approval to enter into a contract with Lightpath for a telephone system for the Town Hall and some outlying buildings.

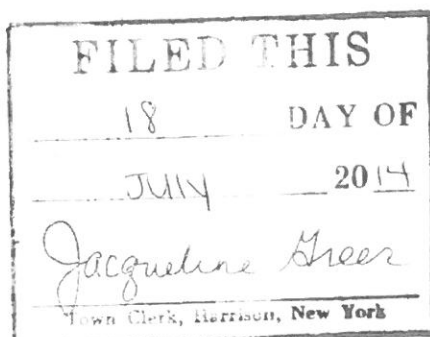
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Law Department.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

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— Benefits
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— ☒ Compt'r
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— ☒ Law
— Police
— P. Wrks
— Purch'g
— Rec'd'n
— Supvs'r
—

June 19, 2014

2014 - - 253

APPROVAL FOR THE TOWN OF HARRISON TO REGISTER WITH
COOPERATIVE PURCHASING COMPANY HGACBUY

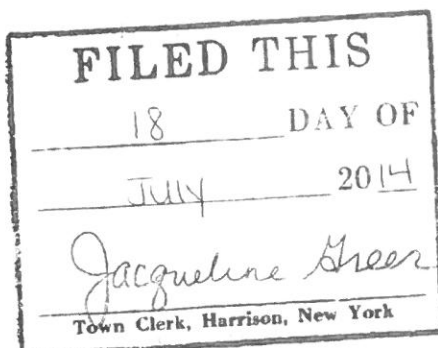
On motion of Councilman Malfitano, seconded by Councilwoman Amelio,
it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for the Town of
Harrison to register with the cooperative purchasing company HGACBuy at no cost to
the Town.

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

June 19, 2014

2014 - - 254

APPROVAL OF A PILOT AGREEMENT WITH
MEMORIAL HOSPITAL AND ALLIED DISEASES

Village Attorney Kraut said for clarification for the Board, this is Memorial Sloan Kettering Property. They have been a very good institutional member of the community and coming in with their planning application. They are quite arguably illegible for not for profit status on the tax rolls. They are volunteering to enter into this pilot agreement to continue paying taxes to the town for a term of twenty years. We ask that you accept this offer on their behalf and pass the Pilot.

Councilman Sciliano recused himself from voting.

On motion of Councilwoman Amelio, seconded by Supervisor Belmont,

it was

RESOLVED to approve the PILOT agreement with Memorial Hospital and Allied Diseases.

FURTHER RESOLVED this PILOT Agreement is subject to a final review by the Town Assessor and the Town Attorney's office.

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

Adopted by the following vote:

AYES: Councilpersons Amelio, Cannella and Malfitano
Supervisor Belmont

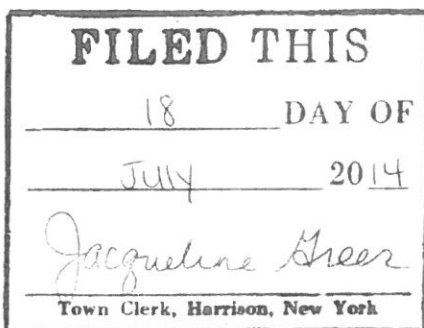
NAYS: None

ABSENT: None

RECUSED: Councilman Sciliano

Copies to:

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☐ Benefits
☐ Bldg
☐ Compt'r
☐ Engrng
☒ Law
☐ Police
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☐ Purch'g
☐ Recr'tn
☐ Supvs'r
☐



June 19, 2014

2014 - - 255

AUTHORIZATION FOR THE HARRISON POLICE DEPARTMENT TO ENTER
INTO A SERVICE AGREEMENT WITH LEADS ONLINE

On motion of Councilman Malfitano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request by Chief of Police Anthony Marraccini for authorization for the Harrison Police Department to enter into a Service Agreement with LEADS Online, to assist the Detective Division in tracking stolen property. The annual subscription is \$4,378.00.

FURTHER RESOLVED the Service Agreement is subject to approval by the Law Department.

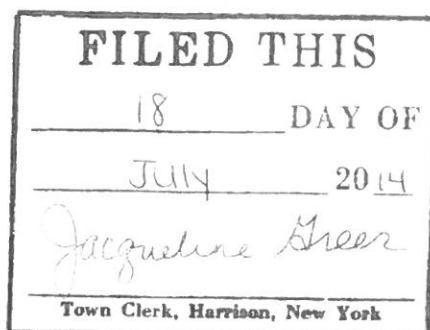
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Law Department and the Chief of Police.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

- ☐ Assessor
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- ☒ Compt'r
- ☐ Engrng
- ☒ Law
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- ☐ Purch'g
- ☐ Recr'tn
- ☐ Supvs'r

June 19, 2014

2014 - - 256 - - A

APPROVAL TO TRANSFER MONEY FROM THE TOWN CONTINGENCY
TO GTB SPECIAL SERVICES FOR THE PURPOSE OF FUNDING A
CLEAN UP AT THE TOWN GARAGE

Supervisor Belmont said he wanted to explain that this was a gas spill that happened many years ago. The town started to do some construction and when we put the backhoe into the ground we found the odor of gasoline. It was determined that ten to fifteen years ago there was a gas leak and it was covered over and we are trying to rectify a problem that happened many years ago.

On motion of Councilman Sciliano, seconded by Councilwoman Amelio,

it was

RESOLVED to approve the request of Comptroller Maureen MacKenzie for the following budget transfer:

DECREASE:

001-1900-100-4490	
Town Contingency	\$75,000

INCREASE:

001-1620-100-0407	
GTB Special Services	\$75,000

Transfer of funds from Town Contingency to GTB Special Services line for the purpose of funding the clean up at the Town Garage as a result of a gasoline spill.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

June 19, 2014

2014 - - 256 - - B

APPROVAL OF PURCHASE ORDER #341469 FOR THE PURPOSE OF
CLEAN UP AND REMEDIATION AT THE GLEASON GARAGE
DUE TO A GASOLINE SPILL

On motion of Councilman Cannella, seconded by Councilwoman Amelio,

it was

RESOLVED to approve purchase order #341469 issued to Conklin Services & Construction Inc, 94 Stewart Avenue, Newburgh, New York 12550, for clean up and remediation for a gasoline spill at the Gleason Garage.

FURTHER RESOLVED that funding is available in the GTB Special Services Account #001-1620-100-0407.

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

Adopted by the following vote:

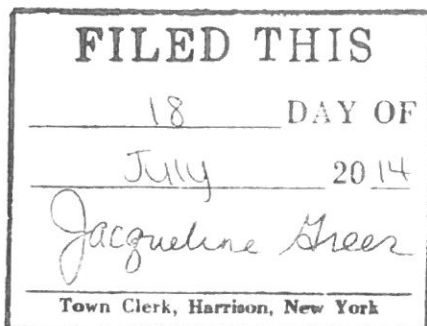
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

☐ Assessor
☐ Benefits
☐ Bldg
☒ Compt'l
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☐ Rec'd
☐ Supvs'r



June 19, 2014

2014 - - 257 - - A
AUTHORIZATION TO ACCEPT DONATIONS FOR
THE JULY 4th FIREWORKS

Harrison resident Roy Aletti wanted to give the Board an update on the "drive" to keep the fireworks event going. He said he accumulated \$8,050 to date with further commitments that will put us above and beyond what we need.

Comptroller Maureen MacKenzie said the numbers that she submitted need to be changed. She asked the Clerk to change the number of \$7,800 to \$8,050, which will also change the budget modification to that number.

Councilman Malfitano said we can incorporate into one resolution the acceptance of the donations and the budget modification.

On motion of Councilwoman Amelio, seconded by Supervisor Belmont

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization to accept the following donations for the July 4th Fireworks Display:

<u>Donor</u>	<u>Amount</u>
Anonymous	\$100
Harrison Bagel & More, Inc.	\$200
Patrick A. Vetere	\$100
Servpro Harrison	\$200
Nancy & Leonard Masi	\$100
Bonistall Electric	\$100
Marlane Amelio-Skinner & George D. Skinner	\$100
Joseph L. Cannella & Nancy A. Cannella	\$100
Harrison Paint Supply, Inc.	\$500
Harrison VFW	\$250
Harrison Fire Department	\$1,000
Station Cleaners	\$200
Big Top	\$200
Uncle Henry's	\$200
Trattoria Vivolo Inc.	\$100
Harrison Flower Mart Inc.	\$250
Pizza 2000	\$500
Raphael Amelio & Sharon Amelio	\$100

Harrison Dollar Plus Store	\$100
Murray's Ice Cream	\$150
Joseph Carnevalla & Linda Carnevalla	\$500
Gus's Restaurant	\$500
Halstead's Bar & Grill Inc.	\$200
Casa D'Italia Corp	\$100
Felix, Catherine & David Cristiano	\$1,000
Fred Sciliano	\$100
Mark Manzi	\$500
Harrison Beverage	\$200
Harrison Bake Shop	\$100
Frank Mucci	\$50

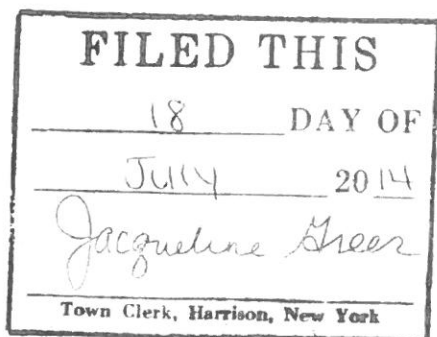
FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

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- ☒ Compt'r
- ☐ Engrng
- ☐ Law
- ☐ Police
- ☐ P. Wrks
- ☐ Purch'g
- ☐ Recr'n
- ☐ Supvr'r

June 19, 2014

2014 -- 257 -- B
AUTHORIZATION FOR A BUDGET MODIFICATION

On motion of Councilwoman Amelio, seconded by Supervisor Belmont

it was

RESOLVED to approve the request by comptroller Maureen MacKenzie for the following budget modification:

INCREASE:

001-0000-027-2705	\$8,050
Gifts and Donations	

INCREASE:

001-7550-100-0410	\$8,050
Celebrations-Materials and Supplies	

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

Adopted by the following vote:

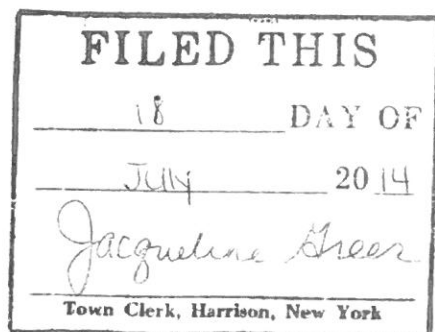
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor

NAYS: None

ABSENT: None

Copies to:

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___ Benefits
___ Bldg
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___ Law
___ Police
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___ Supvs'r



June 19, 2014

2014 - - 258

AUTHORIZATION FOR A BUDGET MODIFICATION

On motion of Councilwoman Amelio, seconded by Supervisor Belmont,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization for the following budget modification:

INCREASE:

003-0000-059-5999	\$825,000
Highway-Appropriated Fund Balance	

INCREASE:

003-5110-100-0407	\$825,000
Highway-Special Services	

To Appropriate Fund Balance for the purpose of funding the following:

\$750,000 – Road Resurfacing
\$50,000 – Sidewalk Repairs
\$25,000 – Tree Work

These three items were within the proposed DPW Capital Budget.

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

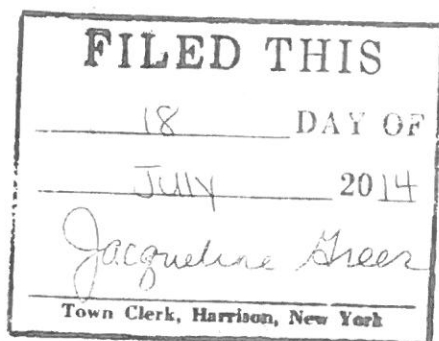
Adopted by the following vote:

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

NAYS: None

ABSENT: None
Copies to:

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- Engrng
- Law
- Police
- ✓ P. Wrks
- Purch'g
- Recr'tn
- Supvs'r



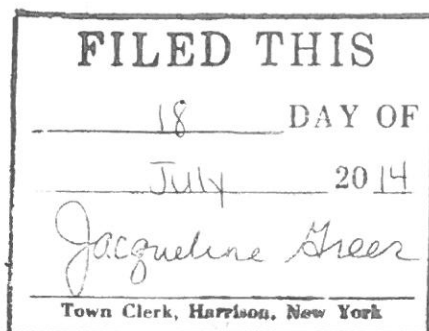
June 19, 2014

2014 - - 259
MATTERS FOR EXECUTIVE SESSION

Litigation Settlement: 1
Litigation: 3
Personnel: 2
Collective Bargaining: 2

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 8:47 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 11:20 PM.



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✓ Supvs'r

June 19, 2014

2014 - - 260

AUTHORIZATION TO RESCIND TOWN BOARD RESOLUTION 2014 - - 258
FROM THE TOWN BOARD MEETING OF JUNE 19, 2014 FOR A
BUDGET MODIFICATION IN THE AMOUNT OF \$825,000

On motion of Councilman Malfitano, seconded by Councilman Sciliano,

it was

RESOLVED to rescind Town Board Resolution 2014 - - 258 from the Town Board Meeting of June 19, 2014 for the approval of a Budget Modification in the amount of \$825,000.

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

Adopted by the following vote:

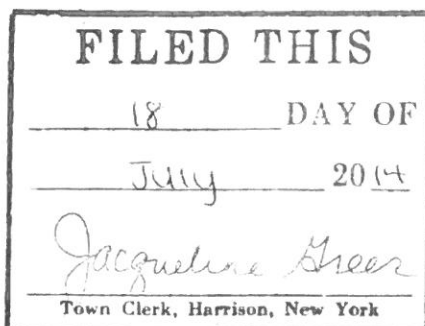
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

___ Assessor
___ Benefits
___ Bldg
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___ Engrng
___ Law
___ Police
☒ P. Wrks
___ Purch'g
___ Rec'n
___ Supva'r



June 19, 2014

2014 - - 261

AUTHORIZATION TO SEND A 30 DAY NOTICE OF TERMINATION
AS PER NEW YORK STATE WORKMEN'S COMPENSATION LAW,
SECTION 71, TO MATTHEW VETERE,
GENERAL TOWN BUILDING - CLEANER

On motion of Supervisor Belmont, seconded by Councilman Sciliano,

it was

RESOLVED to send a 30 day notice of termination as per New York State Workmen's Compensation Law, Section 71, to Matthew Vetere, General Town Building – Cleaner.

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

Adopted by the following vote:

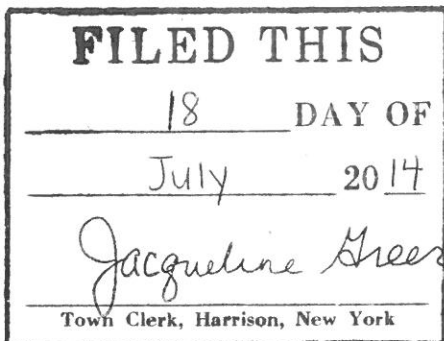
AYES: Councilpersons Amelio, Cannella, Malfitano and Sciliano
Supervisor Belmont

NAYS: None

ABSENT: None

Copies to:

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☐ Supvs'r



June 19, 2014

2014 - - 262
AUTHORIZATION TO APPOINT JOE STOUT
TO THE PLANNING BOARD

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

RESOLVED to appoint Joe Stout to the Planning Board to fill a vacancy.

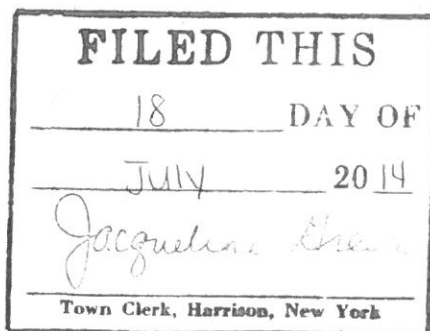
FURTHER RESOLVED to forward a copy of this Resolution to Joe Stout, the
Comptroller and the Planning Board.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

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☐ Law
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☐ Purch'g
☐ Rec'n
☐ Supv'r

June 19, 2014

2014 - - 263
AUTHORIZATION TO APPOINT THOMAS FORISTEL
TO THE ZONING BOARD

On motion of Councilman Malfitano, seconded by Councilman Cannella,

it was

RESOLVED to appoint Thomas Foristel to the Zoning Board to fill a vacancy.

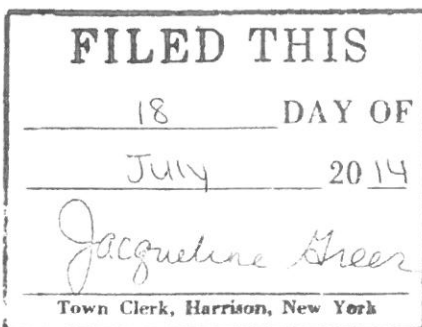
FURTHER RESOLVED to forward a copy of this Resolution to Thomas Foristel, the Comptroller and the Zoning Board.

Adopted by the following vote:

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

NAYS: None

ABSENT: None



Copies to:

___ Account
___ Benefits
___ Bldg
___ ☒ Compt'r
___ Engrng
___ Law
___ Police
___ P. Wrks
___ Purch'g
___ Recr'tn
___ Supvs'r

June 19, 2014

2014 - - 264

AUTHORIZATION TO HIRE OUTSIDE COUNCIL OF
BOND, SCHOENICK & KING FOR OUTSIDE MATTERS FOR
THE TOWN OF HARRISON IN THE YEARS 2014 AND 2015

On motion of Councilman Sciliano, seconded by Supervisor Belmont,

it was

RESOLVED to hire Bond, Schoenick & King as outside council for outside matters for the Town of Harrison in the years 2014 and 2015.

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

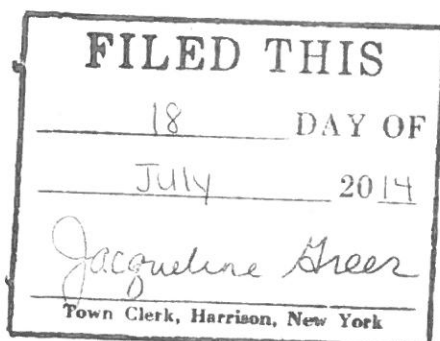
NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 11:22 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk



Copies to:

— Assessor
— Benefits
— Bldg
✓ Compt'r
— Engrng
✓ Law
— Police
— P. Works
— Purch'g
— Rec'n
— Supvs'r