

Revised July 7, 2011

June 2, 2011

A meeting of the Village Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 2nd day of June, 2011 at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Mayor

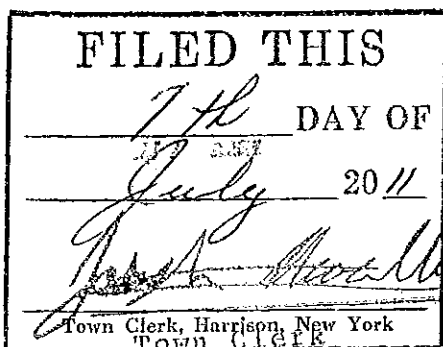
Joseph Cannella)
Fred Sciliano)
Patrick Vetere) Trustees
Marlane Amelio)

ALSO ATTENDING:

Frank Allegretti Town Attorney
Fred Castiglia Deputy Town Attorney
Robert Paladino Village Attorney
Jonathan Kraut Deputy Village Attorney
Anthony Marraccini Chief of Police
Maureen MacKenzie Treasurer
Ron Belmont Advisor to the Recreation Department
Michael Amodeo Village Engineer

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June 2, 2011

V - - 2011 - - 054

REDUCTION OF SALARY OF DEPUTY VILLAGE ATTORNEY
JONATHAN D. KRAUT

On motion of Trustee Amelio, seconded by Trustee Vetere,

it was

RESOLVED to reduce the annual salary of Deputy Village Attorney Jonathan D. Kraut by \$30,000 with a reduction in office hours to one day per week.

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

Adopted by the following vote:

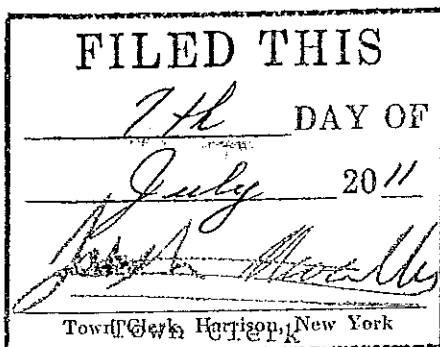
AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

NAYS: None

ABSENT: None

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June 2, 2011

V - - 2011 - - 055

APPROVAL FOR PURCHASE ORDER # 311507 TO VERDE ELECTRIC CORP.,
FOR TWO FLASHING BEACON ASSEMBLIES. COST: \$15,000

Mayor Joan Walsh explained that these beacon assemblies will be installed on either side of the exit road from Passidomo Pool in West Harrison to remind drivers that the speed limit in that area is 25 mph.

On motion of Trustee Sciliano, seconded by Trustee Cannella,

it was

RESOLVED to approve the request by Purchasing Clerk Marie Bailey for authorization of Purchase Order #311507 to Verde Electric Corp, 89 Edison Avenue, Mt. Vernon, NY for two (2) flashing beacon assemblies at a cost of \$7,500 each. Total cost \$15,000.

FURTHER RESOLVED that funding is available under Capital Account #PO03.

FURTHER RESOLVED to forward a copy of this Resolution to the Purchasing Department and the Treasurer.

Adopted by the following vote:

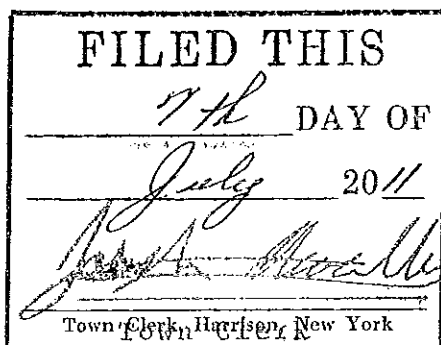
AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

NAYS: None

ABSENT: None

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June 2, 2011

V - - 2011 - - 056

PUBLIC HEARING: PURSUANT TO ARTICLE 2, SECTION 10 AND ARTICLE 3,
SECTION 20 OF THE MUNICIPAL HOME RULE LAW,
AMENDING CHAPTER 155 OF THE TOWN/VILLAGE CODE ENTITLED "GARBAGE,
RUBBISH AND REFUSE" BY LOCAL LAW OF 2011, AMENDING SECTION 155-1 B. (4)
AND (5) OF THE TOWN/VILLAGE CODE OF THE TOWN/VILLAGE OF HARRISON
ENTITLED
"PLACEMENT FOR COLLECTION; COLLECTION IN COMMERCIAL DISTRICTS

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

Town Attorney Frank Allegretti stated that this Hearing is to extend the three (3) family dwelling exemption from commercial garbage collection for one more year.

Mayor Joan Walsh asked if the Board would like to amend the Law as standing or adjourn to the next meeting.

Trustee Cannella asked Mr. Allegretti if it will have to be republished.

Mr. Allegretti stated that the republishing (exorbitant fee) is what the State charges, not the advertisement.

Trustee Cannella stated that the three family homes should be treated as residential and not commercial.

Mayor Walsh stated that the Notice of the Hearing will be republished in the newspaper...

Trustee Cannella stated that the Hearing should be rescheduled.

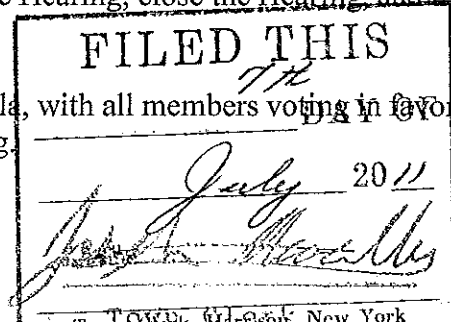
Deputy Village Attorney Jonathan Kraut stated that they're looking for crystal clear direction from the Town Board.

Mrs. Walsh stated that part of the local law says three (3) family houses have to pay the \$100 registration fee. She asked: are we (the board) also exempting them from that fee.

Mr. Cannella replied he would also exempt them from that fee.

Mr. Kraut stated that the Public Hearing should remain open, and the Law Department will make a revision to the law, give it to the Board for review and once the Board approves it, the Law Department will advertise it and the Board will continue the Hearing, close the Hearing, and then act upon it.

On motion of Trustee Amelio, seconded by Trustee Cannella, with all members voting in favor, the Hearing will remain open until the July 7, 2011 Meeting.



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June 2, 2011

V - - 2011 - - 057

APPROVAL THAT PARKING BE RESERVED ON BOTH SIDES
OF HALSTEAD AVENUE IN THE VICINITY OF FOOD CITY

Notification by William Fraser and Kevin Dellner of the Halstead Manor Centennial Committee for the Halstead Manor Firehouse, 1400 Halstead Avenue, Mamaroneck, that the Halstead Manor & Hose Company #4 is celebrating its 100th Anniversary, Sunday, June 12, 2011. A Block Party will be held at the Halstead Manor Firehouse, 1400 Halstead Avenue, Mamaroneck, from 2 to 6 pm. He asked for parking privileges.

On motion of Trustee Vetere, seconded by Trustee Amelio,

it was

RESOLVED to approve the request by William Fraser and Kevin Dellner on behalf of the Halstead Manor & Hose Company #4 for authorization that Parking be reserved on both sides of Halstead Avenue, in the vicinity of Food City, to accommodate fire apparatus.

FURTHER RESOLVED to forward a copy of this Resolution to Mr. Fraser and Mr. Dellner and the Police Department.

Adopted by the following vote:

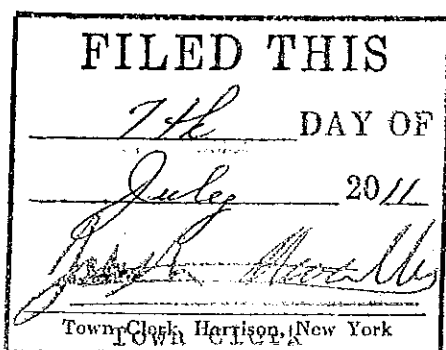
AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

NAYS: None

ABSENT: None

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June 2, 2011

V - - 2011 - - 058 - - a & b

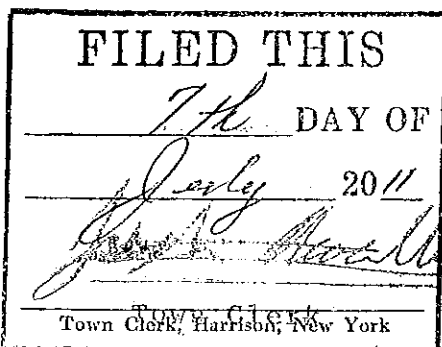
ADJOURNED: BID AWARD TO ELQ INDUSTRIES FOR THE INFRASTRUCTURE
DEVELOPMENT FOR THE OLD ORCHARD STREET SUBDIVISION

Deputy Village Attorney Jonathan Kraut stated that he would like to review the matter with the Board in Executive Session.

On motion of Trustee Amelio, seconded by Trustee Cannella, with all members voting in favor, the Hearing was adjourned to Executive Session.

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June 2, 2011

V - - 2011 - - 059

APPROVAL FOR AN AMENDMENT TO SECTION 38-55, PARKING REGULATIONS IN
THE VILLAGE ORDINANCE

On motion of Trustee Sciliano, seconded by Trustee Cannella,

it was

RESOLVED to approve the request by Police Chief Anthony Marraccini for an amendment to the following parking regulation in the Village Ordinance:

Section 38-55: Designate a Loading zone on the east side of Underhill Avenue beginning at the intersection of Beechwood Avenue and continue 50 feet north during the hours of 7:30 am to 4:00 pm Monday – Friday, except holidays.

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

Adopted by the following vote:

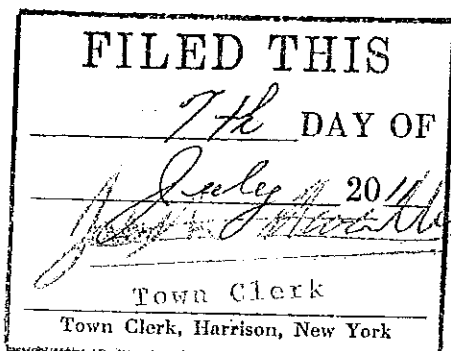
AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

NAYS: None

ABSENT: None

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June 2, 2011

V - - 2011 - - 060

APPROVAL TO PROHIBIT PARKING ON THE SOUTH SIDE OF THE STREET ON
OSBORN ROAD FROM THE RYE CITY LINE TO HALSTEAD AVENUE

On motion of Trustee Vetere, seconded by Trustee Amelio,

it was

RESOLVED to approve the request by Chief of Police Anthony Marraccini for authorization to prohibit parking on the south side of the street on Osborn Road from the Rye City line to Halstead Avenue.

FURTHER RESOLVED that parking be allowed on the north side of the street only.

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

Adopted by the following vote:

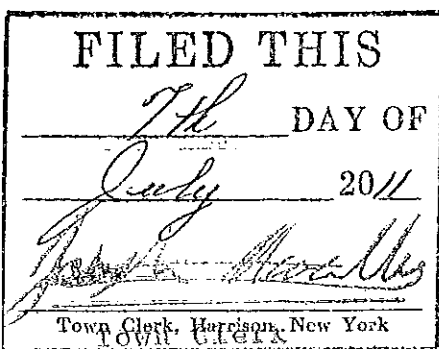
AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

NAYS: None

ABSENT: None

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June 2, 2011

V -- 2011 -- 061

APPROVAL FOR AN AMENDMENT TO PARKING REGULATIONS
SECTION 38-53/-38/54/38-55 IN THE VILLAGE ORDINANCES

Chief of Police Anthony Marraccini explained that in that area the Loading Zone Resolution that was adopted prior to this one works in conjunction with Beechwood. Delivery trucks that are delivering to the Deli pull up on the sidewalk, breaking the sidewalk, the curbing and are obstructing the roadway. Despite ticketing them, the trucks and customers of that Deli are still parking on that side of the street. Also, when a commercial vehicle is loading or unloading, they are able to do that by law in a No Parking Zone. Mr. Marraccini went on to say that he wants to change the No Parking zone on Underhill to a No Stopping, Standing or Parking Zone to prevent the commercial deliveries. We (the police) are creating a loading zone on Underhill for only certain hours of the day so it will become parking for apartment residents after hours.

On motion of Trustee Amelio, seconded by Trustee Cannella,

it was

RESOLVED to approve the request by Chief of Police Anthony Marraccini for an amendment to the following parking regulation in the Village Ordinances:

Section 38-53/ - 38-54/38-55: No Stopping, Standing, Parking on the south side of Beechwood Avenue between Underhill Avenue and Oak Street. This area is currently no parking anytime on the south side of Beechwood Avenue.

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

Adopted by the following vote:

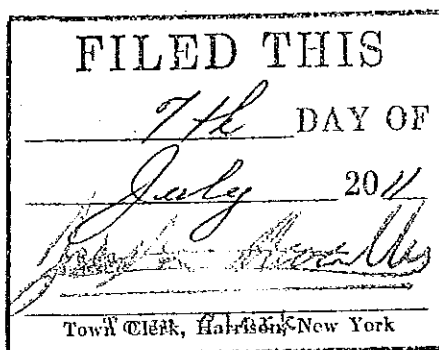
AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

NAYS: None

ABSENT: None

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June 2, 2011

V - - 2011 - - 062

APPROVAL FOR A REVISION TO SECTION 38-55 OF THE VILLAGE VEHICLE &
TRAFFIC REGULATIONS IN THE AREA OF 141 AND 143 LAKE STREET

On motion of Trustee Vetere, seconded by Trustee Amelio,

it was

RESOLVED to approve the request by Chief of Police Anthony Marraccini for a revision to Section 38-55 of the Village Vehicle & Traffic regulations regarding the area of 141 and 143 Lake Street. The regulation manual currently reads: "No Parking from 8:00 am to 6:00 pm" from utility pole #42, 200 feet east to utility pole #44. The proposed change will read: "No Stopping, Standing or Parking" in the area of 141 and 143 Lake Street from utility pole #42, 200 feet north to utility pole #44.

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

Adopted by the following vote:

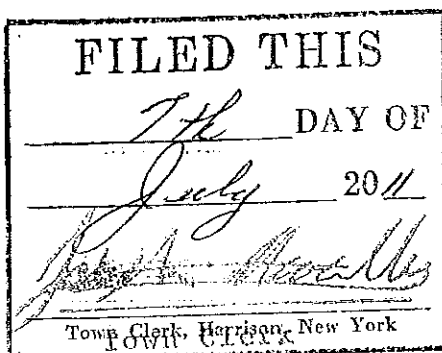
AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

NAYS: None

ABSENT: None

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June 2, 2011

V - - 2011 - - 063

TABLED: AMEND ARTICLE 41, SECTION 1662-C OF
THE NEW YORK STATE VEHICLE AND TRAFFIC LAW
RE: RESIDENTIAL PARKING PERMITS IN WEST HARRISON

Mayor Joan Walsh asked Anthony Marraccini, Chief of Police to explain his request to amend Article 41, Section 1662-c of the New York State Vehicle and Traffic Law, authorizing residential parking permits in West Harrison.

Chief Marraccini explained that in West Harrison there are parking restrictions during day time hours that are a burden on the residents. The parking restrictions are meant for the area around Preston School, where teachers and staff park on residential streets for extended periods of time. Residential parking permits in these areas would help the residents to leave their cars in front of their homes.

Mayor Walsh questioned if those residents would be required to get a permit?

Chief Marraccini responded that the residents would need a permit to park on the street during these restricted hours in order to prevent them from being ticketed.

Trustee Vetere asked: will there be a fee for the permit.

The Chief answered it's up to the Board.

Mr. Vetere stated that there should be a fee if they're coming from out of town.

The Chief replied further explained that the proposed residential parking permits would be beneficial to the residents of West Harrison particularly the homeowners in and around Pearl St, Main St, and the Boulevard. These streets have seen an influx of non-resident parking leaving no spaces available for local residents. This permit will allow the residents not only the ability to park during restricted hours but also allow them overnight parking.

Mayor Walsh questioned how many permits each resident would be issued.

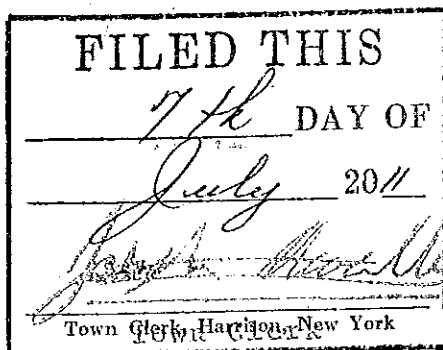
Chief Marraccini responded by stating each resident who wishes to obtain a parking permit must be able to provide proof of residency. He concluded by stating that he strongly believes creating these proposed permits would improve the quality of life issues in and around the troubled areas of town.

Trustee Sciliano thanked Chief Marraccini for bringing this proposal to the Board. As a member of the West Harrison Neighborhood Association, Mr. Sciliano stated these proposed permits have been needed for quite a while especially for the area of Main Street where residents of White Plains park their cars on the West Harrison side of the street and leave their cars there overnight.

Village Attorney Robert Paladino explained that in 1998 the Town Board requested the State Legislature to pass enabling legislation that would allow the town to create a residential parking permit system in a specified area of downtown Harrison. The enabling legislation was very specific in allowing the town to have such a parking regulation. The Town Board at the time did not agree with a particular wording of the legislation and therefore did not enact such parking provisions in the downtown area. Mr. Paladino further explained that if the Board wishes to enact a residential parking regulation in West Harrison, they would need to once again request the State Legislature to pass similar enabling legislation as they did previously in 1998.

A conversation began concerning the requirements the state legislature would have for such proposed regulations. Such provisions had included that 20% of all spaces within the permit area be available for non-residents. Another provision which was discussed focused on the state legislature's requirements regarding commercial vehicle parking in the permit area. Mr. Paladino explained that the town does not need the State Legislature to act on any regulations for town owned parking lots. The town would only require enabling legislation from the legislature regarding parking regulations on public streets. Chief Marraccini explained that parking in the downtown area is burdened by commuter parking while West Harrison is burdened by non residents parking. He further requested that legislation of the downtown area be modified and that legislation for parking in West Harrison be requested.

Trustee Cannella stated that as we do not know what provisions the state legislature would require and asked that the matter be tabled so that the Attorneys could research the matter.



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June 2, 2011

V - - 2011 - - 064

APPROVAL FOR PURCHASE ORDER # 311507 TO VERDE ELECTRIC CORP.,
FOR TWO FLASHING BEACON ASSEMBLIES. COST: \$15,000

Mayor Joan Walsh explained that these beacon assemblies will be installed on either side of the exit road from Passidomo Pool in West Harrison to remind drivers that the speed limit in that area is 25 mph.

On motion of Trustee Sciliano, seconded by Trustee Cannella,

it was

RESOLVED to approve the request by Purchasing Clerk Marie Bailey for authorization of Purchase Order #311507 to Verde Electric Corp, 89 Edison Avenue, Mt. Vernon, NY for two (2) flashing beacon assemblies at a cost of \$7,500 each. Total cost \$15,000.

FURTHER RESOLVED that funding is available under Capital Account #PO03.

FURTHER RESOLVED to forward a copy of this Resolution to the Purchasing Department and the Treasurer.

Adopted by the following vote:

AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

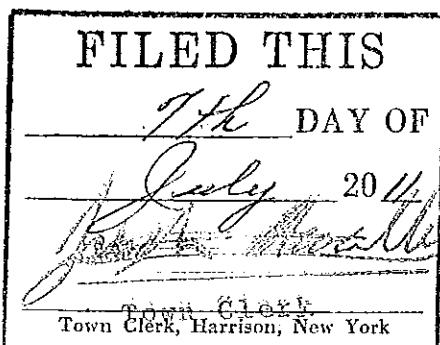
NAYS: None

ABSENT: None

This Resolution was also adopted in the Town (TBR#2011-197) and moved to the Village as it is a Capital Project.

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June 2, 2011

V - - 2011 - - 065

DISCUSSION RE: PARKING IN THE PARK AVENUE, PURDY STREET LOT

Village Attorney Robert Paladino stated that there have been many complaints about overnight parking in the Park Avenue, Purdy Street lot. Various options have been discussed, one being a permit system for businesses located in the area, being able to purchase up to a certain number of permits that would allow them to park their commercial vehicles in that lot overnight, from 5pm to 8am. In 1982 the Town Board established in that lot authorized parking designations that permits could be sold to local businesses at the rate of a residential commuter parking rate. In this instance it would be \$600 per year, allowing commercial business to purchase overnight parking permits but those vehicles would have to be removed from the lot by 8am.

Trustee Amelio asked about week-end parking.

After a lengthy discussion it was agreed that Mr. Paladino and Chief Marraccini would meet and return to the July 7th Board Meeting with recommendations.

Sam Fanelli suggested that on Harrison Blvd. in West Harrison parking should be eliminated from 8pm to morning.

Chief Marraccini stated that resident permit parking would resolve a lot of the non resident parking issues.

Mayor Walsh stated that the Board would try to have this done within two weeks.

Chief Marraccini believes that it would take more time than two weeks because of the amount of work that needs to be done by the Law Department to draft this legislation.

Attorney Paladino asked if the board wants to ask the state legislature for enabling legislation.

Trustee Cannella responded he wanted to see the current limitations that might come from the legislature.

Trustee Amelio asked if they are also talking about residential cars that are parking in municipal lots when talking about commercial vehicles.

Chief Marraccini replied that possibly there should be permit overnight parking for our Municipal lots. That would be enacted after the restaurants close.

On motion of Trustee Amelio, seconded by Trustee Cannella,

it was

RESOLVED to forward the request to issue overnight parking permits for commercial vehicles in the Park Avenue, Purdy Street lot to the Law Department.

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

Adopted by the following vote:

AYES: Trustees Amelio, Cannella, Sciliano and Vetere
Mayor Walsh

NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was on motion duly made and seconded,
declared closed at 10:00 pm.

Respectfully submitted,

Joseph Acocella
Village Clerk

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