

February 29, 2012

A regular 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 Wednesday, February 29, 2012, at 7:30 PM. Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont Mayor

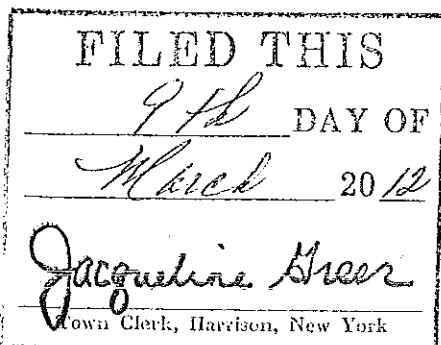
Marlane Amelio)
Joseph Cannella) Trustees
Stephen Malfitano)
Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney
Fred Castiglia Deputy Town Attorney
Jonathan Kraut Village Clerk
Christopher Cipolla Deputy Village Attorney
Maureen MacKenzie Treasurer
Anthony Marraccini Chief of Police
Anthony Robinson Commissioner of Public Works
Michael Amodeo Village Engineer
Robert FitzSimmons Building Inspector

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February 29, 2012

V -- 2012 -- 021

APPROVAL FOR COMMISSIONER OF PUBLIC WORKS ANTHONY ROBINSON
TO USE \$23,453.39 REMAINING IN THE EXISTING
CAPITAL ACCOUNT #11HW04-HIGHWAY EQUIPMENT/VEHICLES

On motion of Trustee Sciliano, seconded by Trustee Malfitano,

it was

RESOLVED to approve Commissioner of Public Works Anthony Robinson to use \$23,453.39 remaining in the existing Capital Account #11HW04-Highway Equipment/Vehicles, to offset a portion of the costs associated with the Highway Equipment to be purchased as identified in the 2012 Proposed Capital Budget.

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

Adopted by the following vote:

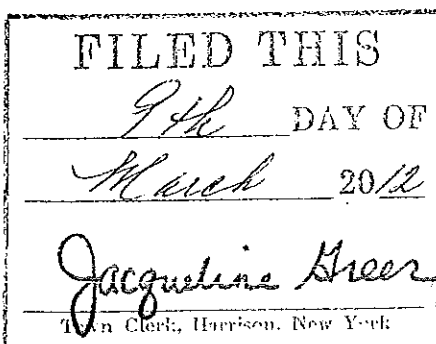
AYES: Trustees Amelio, Cannella, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None

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This Resolution was also adopted in the Town.
The discussion part of this Resolution is noted in TBR #2012-100.

February 29, 2012

V - - 2012 - - 022

APPROVAL TO SELL THE MENZI MUCK EXCAVATOR WITH TRAILER AND
ATTACHMENTS TO THE TOWNSHIP OF WOODBRIDGE, NEW JERSEY

On motion of Trustee Amelio, seconded by Trustee Sciliano,

it was

RESOLVED to approve the request by Commissioner of Public Works Anthony Robinson for authorization for the sale of the Menzi Muck Excavator with trailer and attachments to the Township of Woodbridge, New Jersey for the amount of \$90,000.

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

Adopted by the following vote:

AYES: Trustees Amelio and Sciliano
Mayor Belmont

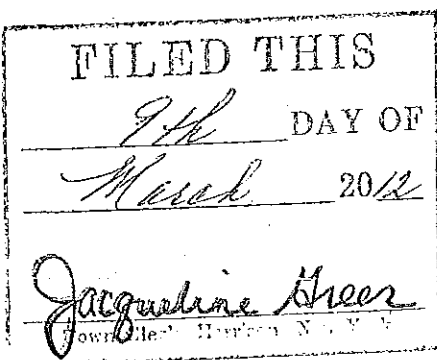
NAYS: Trustee Malfitano

ABSTAINED: Trustee Cannella

ABSENT: None

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February 29, 2012

V - - 2012 - - 023

APPROVAL FOR THE PURCHASING DEPARTMENT TO ISSUE
A PURCHASE ORDER TO THOMAS C. MERRITTS LAND SURVEYORS
RE: FLOOD CONTROL; AMOUNT NOT TO EXCEED \$21,900.

On motion of Trustee Cannella, seconded by Trustee Sciliano,

it was

RESOLVED to approve the request by Village Engineer Michael Amodeo for the Purchasing Department to issue a Purchase Order to Thomas C. Merritts Land Surveyors in an amount not to exceed \$21,900 for three (3) Dams Survey; Woodlands Road, Genesse Trail and Harrison Avenue, Block 441, Lots 6, 15 as follows:

Boundary Survey
Topographical Survey with 2 foot contours
Mapping of Wetland Flags
Locate and map utilities
Locate and map storm water pipes

FURTHER RESOLVED that funding is available in Capital Account #07PW15.

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

Adopted by the following vote:

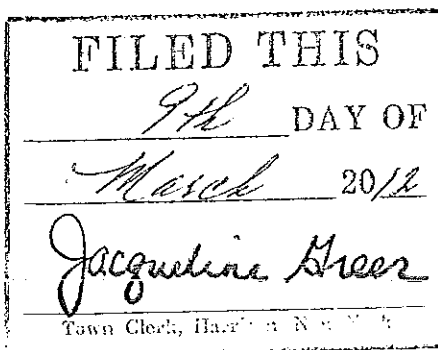
AYES: Trustees Amelio, Cannella, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None

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February 29, 2012

V - 2012 - - 024

APPROVAL FOR THE PURCHASING DEPARTMENT TO ISSUE
A PURCHASE ORDER TO EVANS ASSOCIATES
RE: FLOOD CONTROL PROJECT ALONG THE BRENTWOOD BROOK CORRIDOR
AMOUNT NOT TO EXCEED \$43,750.

On motion of Trustee Cannella, seconded by Trustee Sciliano,

it was

RESOLVED to approve the request by Village Engineer Michael Amodeo for the Purchasing Department to issue a Purchase Order to Evans Associates in an amount not to exceed \$43,750, for work associated with the Flood Control Project along the Brentwood Brook Corridor as follows:

Delineation of all regulated wetlands and watercourses	\$6,000.
Preparation of a full Federal Wetland Delineation Report	\$2,750.
Preparation and submission of all applicable permits and	
Coordination with permitting agencies (NYSDEC and	\$35,000.
USACOE)	
Total:	\$43,750.

FURTHER RESOLVED that funding is available in Capital Account #07PW15.

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

Adopted by the following vote:

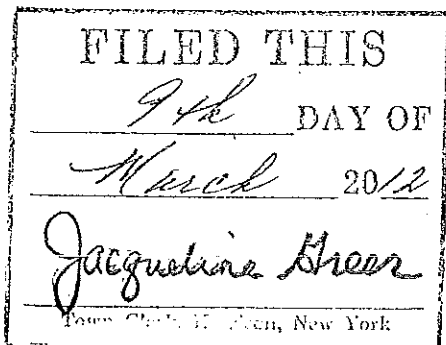
AYES: Trustees Amelio, Cannella, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None

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February 29, 2012

V - - 2012 - - 025

APPROVAL FOR THE PURCHASING DEPARTMENT TO ISSUE
A PURCHASE ORDER TO LEONARD JACKSON ASSOCIATES
RE: CONSTRUCTION DOCUMENTS FOR THE FLOOD CONTROL PROJECT
AMOUNT NOT TO EXCEED \$195,000.

Harrison resident, Mike LeDore, asked questions regarding actions and resolutions, number 1, 2 and 3. He questioned spending \$270,000 for studies. Just so this Board is aware, I know two members who are on here that know about this. In July 2007 The Board spent \$50,000 on a study. In November we gave BSG \$112,000 for this study. Just recently the Board awarded LGA \$175,000 to do a study. To date the Board has spent over \$600,000 on this study for the work that needs to be done up there. However, in 2007 the study that was done, there was a set of plans upstairs to fix this problem, which was thrown out because it was too expensive. I think it was \$450,000 to do the work. The question is, why is the Board spending more money to do more studies when all the information is upstairs right now? I know you have to update some things, but this seems like an obsessive amount of money. That is my question on all three of these items.

Village Engineer Michael Amodeo answered Mr. LeDore's questions. There were monies spent in the past on different things. None of the money previously spent was to do what we are talking about tonight. The money that we previously allocated to LJA over the past year was to do the study that we were speaking of during the work session last Monday night and that we are in the middle of doing now. The money being asked for tonight is not for doing further studies, it is to do design and construction drawings that will physically get things done. The monies spent in 2007 were for specific projects. There was some design done for one or two specific projects that might have been in this area or around this area but they were not this. Those projects will hopefully come about after this project. So everything that was mentioned tonight was for different things.

Trustee Malfitano asked the Village Engineer if the money that was invested in design for some specific projects that have not been built yet, that, as you just mentioned, will most probably be built as a part of this. So we are not reinventing the wheel here?

Mayor Belmont stated we are basically just changing the order in which things are being done. I want to get that point out.

Trustee Malfitano asked Mr. Amodeo the money that you are asking us for tonight, as you stated, is for survey and design, correct? The study that has been conducted recently took what was done some years ago to the next level.

Village Engineer, Mike Amodeo, said in looking at the history of the area we found things dating back to 1945 in which there were flooding issues just as today. The same issues as we talk about the Brentwood Brook and the Beaver Swamp Brook. We had the same problems. I have a letter from the City Engineer of Rye stressing how important the problems on the Beaver Swamp are. It is all there. The flooding we are going through today, it happened back then. There were studies back then, with the technology that they had, even in this area but they were done. We included that data in our study and are building on top of that.

February 29, 2012

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It is all there. The flooding we are going through today, it happened back then. There were studies back then, with the technology that they had, even in this area but they were done. We included that data in our study and are building on top of that.

Harrison resident, Naomi Oppman spoke about her concerns with items 1, 2 and 3. Her understanding was that there are approximately five areas in Harrison that are being studied. The one area that is being focused on is Sterling Ridge. It was her understanding that the project would take about a year to complete and the cost being 1.5 million dollars. As she understood it, State or Federal money have not been looked at for the construction of this project. She concluded that it looked like this project is going to be funded by the taxpayers of Harrison. Ms. Oppman explained there are 8,956 households in Harrison as of the 2010 census. The project is in Sterling Ridge. Her understanding is that project only benefits 100 households. She stated that only 1% of the town that will benefit. She suggested the Board investigate the possibility of applying for funding such as the FEMA Flood Mitigation Assistance Program which was put into effect in 1994.

In response to Ms. Oppman, Mayor Belmont stated that there are more than 100 homes being affected. He explained there are over 500 homes affected. The Mayor disagreed with Ms. Oppman's statement that the Board is not looking to obtain Federal, State or FEMA Funds. We most certainly are. Mayor Belmont went on to state that there are other ways to fund these projects other than on the backs of taxpayers. I'll end it with that.

Trustee Malfitano said there is some \$656,000 sitting in account that is FEMA funding. It was made perfectly clear during Monday's work session that those funds would be applied here. The \$656,000 are FEMA dollars received by the Town/Village for drainage related projects. This process will continue. It doesn't stop here.

On motion of Trustee Cannella, seconded by Trustee Sciliano,

it was

RESOLVED to approve the request by Village Engineer Michael Amodeo for the Purchasing Department to issue a Purchase Order to Leonard Jackson Associates in an amount not to exceed \$195,000 for Construction Documents for the Flood Control Project for Nelson Creek and Woodland Road Brook 1 and Woodland Road Brook 2 as follows:

Contract Analyses, design, plans and specification	\$100,000.
Mueser Rutledge Consulting Engineers	\$ 54,000.
CLOMR Applications and Coordination	\$ 5,000.
NYSDEC Dam Permit Application and Coordination	\$ 8,000.
Boring Sub-contract	\$ 3,000.
Check prints and Final prints	\$ 3,000.
Coordination and Meetings	\$ 5,000.
Prepare Emergency Action Plan including Dam Break Analyses	\$ 17,000.
Total:	\$195,000.

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FURTHER RESOLVED that funding is available in Capital Account #08DR05.

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

Adopted by the following vote:

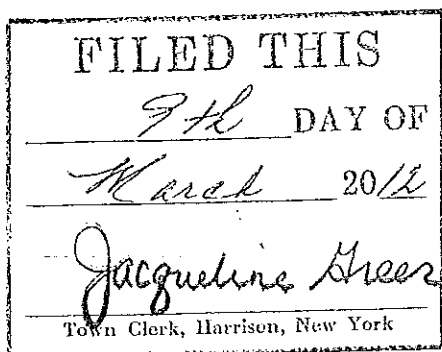
AYES: Trustees Amelio, Cannella, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None

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February 29, 2012

V - - 2012 - - 026

TABLED: REQUEST BY COMMISSIONER OF PUBLIC WORKS FOR APPROVAL
FOR THE 2012 DPW CAPITAL BUDGET

Commissioner of the Department of Public Works (DPW) Anthony Robinson presented information on the 2012 Capital Budget. He explained to the Board that in the equipment budget we are essentially using capital monies to replace vehicles that have outlived their usefulness. The vehicles are either out of service or on their last legs. Specifically, we are asking for two pick-ups in highway and two pick-ups in the Parks Department. These are work horses, they move our crews from site to site. We only have one street sweeper right now that services both ends of town. The one ton dump trucks are replacements for vehicles that have outlived their useful life. The one new item that we did put in our budget is the bobcat loader with asphalt plainer attachment. A tandem roller, which basically is an asphalt roller, is needed in both ends of town.

We had the presentation on the automated sanitation truck at the last Board Meeting and the monies for that vehicle and the residential containers are listed in the Capital Budget.

Trustee Malfitano said the Street Sweeper is listed at a cost of \$250,000. The last one we bought wasn't new it was used and I think we paid \$90,000 for it. So I question the price of that piece of equipment.

Commissioner Robinson answered we had looked at several different technologies of sweepers. We went with the higher end unit. That's not to say that the price we get will be that number. This is something I could probably revisit and knock that price down.

Trustee Malfitano asked Commissioner Robinson if he also had in the budget the Sanitation Automated Side Loader. I'm reluctant to say that this is something we are going to do. We haven't even finished reviewing it. I happen to like the idea and I am open to it, but to go ahead and suggest that I am ready to approve the expense of capital for it is premature. I would ask you to defer that at this moment until we have investigated it further with you and we are all satisfied that it is something we want to do.

Commissioner Robinson replied that whether the Board decides to approve that piece of equipment or not, we need a sanitation vehicle of some sort. Building repairs, replacements, are something that we have an ongoing capital account for. Generally we have any number of equipment failures, roof replacements; we funded asbestos removal work at the town garage. We would be looking to again fund a capital account which will enable us to not only handle those types of things, but we also have a list of replacements at several of our buildings that need to be undertaken on a phased approach.

February 29, 2012

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Trustee Malfitano asked can you give us an overview of what the dollar value of all this is.

Commissioner Robinson said we have approximately \$560,000 left from last year's capital account and the chips account. That would supplement the \$250,000 and we would be right around what we asked for last year.

Trustee Malfitano asked Halstead Avenue, Phase I, Preliminary Design. What is that?

Commissioner Robinson said that in speaking to the Mayor we had looked at doing some improvements to the sidewalks on Halstead Avenue. There are two ways to look at it and this is all based on cost. One way is to do it piecemeal based on areas of concern we have because of structural defects. The work for that would probably run \$35,000. Financially it makes sense, long term I don't think it does. That \$20,000 would be earmarked for a consultant to come in and say how do we move forward with the restoration of Halstead Avenue. One of the other options was to do a stretch from Harrison Avenue all the way up to Broadway. That would be done in entirety. That money plus the million dollars in sidewalk work already identified in the town itself that also needs work not including Halstead. We haven't done a big sidewalk job in a while. We need to take care of Halstead Avenue and the other areas of town.

Trustee Cannella said my view is the number is too high. It is a five million dollar number. Some of this has to do with the drainage project, which belongs there, but is thought of as something separate. We had talked about potentially deferring some of this to the following year to get that number down, keeping in mind this is just your budget. The Board will also have to consider the police budget, which I'm sure we will see sometime down the road. The Board already talked about some equipment replacements on that one, which we indicated we were okay with because it is equally necessary. We need to bring this number down.

Commissioner Robinson said the big number is the flood control number and that somehow is going to skew everything.

Trustee Cannella suggested that what he thinks the Board ought to go back and try to bring this down a bit, keeping in mind the economic issues we have to face.

Commissioner Robinson said he would have something in a few days for the Board to review and we could pick up the discussion from that point.

Harrison resident Sam Fanelli said since we are talking about funding a new automated sanitation vehicle, which he was in favor for. He suggested that it go one step further. The vehicle should have dual arms or it is not going to be cost efficient. They make those trucks with right and left arms and that is something we really have to look into.

February 29, 2012

continuation of V - - 2012 - - 026

Harrison resident Rob Porto stated that he was very impressed with Mr. Amodio's presentation the other night about flooding. He held the line, where some people intimated that they wanted to solve their problem by passing the water on down stream and he was very strong and I really applaud you Michael.

The matter was tabled.

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FILED THIS

9th DAY OF

March 2012

Jacqueline Greer
Town Clerk, Harrison, New York

The discussion regarding this matter took place in the Town.
Refer to TBR #2012 - - 102

February 29, 2012

V - - 2012 - - 027

AUTHORIZATION FOR THE TREASURER TO USE
INTERACTIVE PROCUREMENT TECHNOLOGIES BY BIDNET FOR USE OF THEIR
DATABASE OF VENDORS FOR THE BID PROCESS, AT NO CHARGE TO THE TOWN

On motion of Trustee Malfitano, seconded by Trustee Cannella,

it was

RESOLVED to approve the request by Treasurer Maureen MacKenzie for authorization to use Interactive Procurement Technologies by BidNet database of vendors for the bid process, at no charge to the Town/Village.

FURTHER RESOLVED to authorize the Mayor to execute the membership agreement, subject to review by the Law Department.

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

Adopted by the following vote:

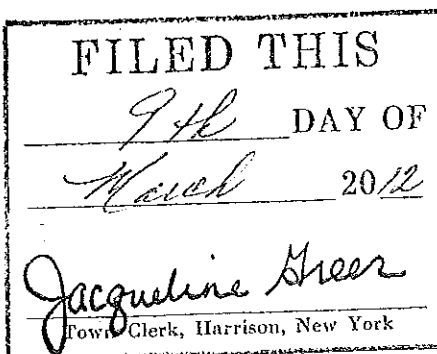
AYES: Trustees Amelio, Cannella, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None

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February 29, 2012

V - - 2012 - - 028

REMARKS RE: COMMERCIAL PARKING AND THE WEBSITE

Harrison resident Patsy Siconolfi asked the Board what they had done with regard to providing commercial vehicle parking?

Mayor Belmont said as it stands now the Commercial Vehicle laws takes effect at midnight. What we are trying to do is tweak the Town Ordinance for commercial vehicles on private property. This would give people the chance to put certain commercial vehicles in their driveway. We are also trying to find a place where contractors can put their vehicles from 7:00 P.M. to 7:00 A.M. in a town lot, for a fee of course. We have not been able to do accomplish that. That is where we are at now. I am going to ask the Board if we could perhaps have an amnesty for several weeks until we could get something squared away.

Trustee Malfitano said we would certainly do that. The objective here is to try and give some relief so that we don't hurt people, but on the other hand, we want to make the neighborhoods better.

Village Attorney Jonathan Kraut said the law that you are taking about is in the Village Ordinance and is adopted by resolution. So therefore; it is a fairly quick process where there is an adjustment. As far as the tweaks that the Mayor was referring to, they are in the Zoning Code, which is in our Town Law, which would require notice, public hearing, that is a couple of month process.

Harrison resident Dave Rodriguez spoke on behalf of his mother who is a Harrison resident. She is a cab driver in the Village of Port Chester. I am asking you Mr. Mayor if there is anyway you could help my mother? She is a hard working woman and she doesn't own her property but rents her apartment. Could you please give me special permission for her to park in the drive way?

Trustee Cannella said I'm not sure the Board is going to approve the parking of Taxi Cabs in the streets.

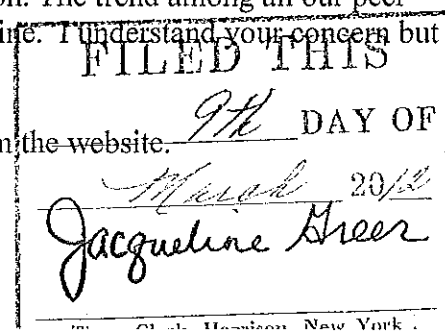
As the Mayor said before, one of the things we are looking at is allowing one vehicle, yet to be described, to park in the driveway.

Harrison resident Naomi Oppman said she was on the town website and noticed that the property tax roll is available on the website. It gives every name, address, assessed value of every property in the town. I understand that this is public information but in the past if you wanted to get information on somebody's property tax you had to go to the Town Clerk's office to file a FOIL. Ms. Oppman asked that the information be removed for the website. Village Attorney Kraut addressed it. It is public information. The trend among all our peer municipalities is indeed to make the records available on line. I understand your concern but think it might be misplaced.

Mayor Belmont said we will check into removing this from the website.

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- ☐ Recr'tn
- ☒ Supvs'r



February 29, 2012

V -- 2012 -- 029
MATTERS FOR EXECUTIVE SESSION

Personnel 1

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed at 9:06 PM.

On motion duly made and seconded,
with all members voting in favor,
the Meeting was reconvened at 11:10 PM.

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
with all members voting in favor declared closed at 11:15 PM.

Respectfully submitted,

Jacqueline Greer
Village Clerk

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