

August 9, 2005

A regular meeting of the Village Board of the Village of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 9th day of August 2005, at 7:30PM. Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano . . . . .Mayor

Thomas Scappaticci ) . . . . .Trustees  
Joseph Cannella )  
Robert Paladino )  
Patrick Vetere )

ALSO ATTENDING

Frank Allegretti . . . . .Town Attorney  
Fred Castiglia . . . . .Village Attorney  
Jonathan Kraut . . . . .Deputy Village Attorney  
Joseph Latwin . . . . .Deputy Village Attorney  
Maureen MacKenzie . . . . .Treasurer  
Robert Wasp . . . . .Commissioner of Public Works  
David Hall . . . . .Chief of Police  
Judith D'Agostinis . . . . .Director of Purchasing  
Ron Belmont . . . . .Superintendent of Recreation  
James Calandrucchio . . . . .Assessor  
Ed DiBuono . . . . .Code Enforcement Officer  
Michael Amodeo . . . . .Engineering Office  
Frank Balbi, Jr. . . . .Engineering Office

August 9, 2005

V -- 2005 -- 83

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS  
FOR CERTAIN CAPITAL IMPROVEMENTS

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to advertise and receive bids for the following 2005 budgeted Capital Improvements.

	<u>Description</u>	<u>Project #</u>
1.	Canopy & Fuel Facility at NIKE Site	05GB09
2.	GTB Passenger Vehicles	05GB15
3.	Replacement of Gas Pumps at Gleason Place	05GB22
4.	Road Resurfacing	05HW06
5.	Sidewalk Reconstruction	05HW13
6.	Parks Department Equipment	05RP20
7.	Highway Department Equipment	05HW21
8.	Removal of Trees	05PW27
9.	Improvements to Vets Park Playground	05PW27
10.	Recreation Department Van	05RE14
11.	Portable Stage for Parks Department	05RE25
12.	John Deere Athletic Field Machine	05RP16
13.	Pesticide Storage Shed	05RP19
14.	Sanitation Vehicles	05SA17

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Director of Purchasing, the Superintendent of Recreation and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Trustees Cannella, Vetere, Paladino and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: None

August 9, 2005

V -- 2005 -- 84

AUTHORIZATION FOR A CONTRACT WITH LYNSTAAR ENGINEERING  
RE: DESIGN AND INSTALLATION OF ELECTRICAL, TELEPHONE AND CABLE SERVICES  
AT GUAGNINI PARK

On motion of Supervisor Malfitano, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for authorization for a contract with LynStaar Engineering for professional services at a total cost of \$9,750.00, relating to the design and installation of electrical, telephone and cable services at Guagnini Park as follows:

- |                         |         |
|-------------------------|---------|
| 1. Design               | \$6,500 |
| 2. Construction (T&M)   | \$2,500 |
| 3. Planning Meeting (1) | \$ 750  |

FURTHER RESOLVED that the funds for this contract will come from the Recreation Fund.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Director of Purchasing, the Superintendent of Recreation and the Commissioner of Public Works.

Adopted by the following vote:

AYES: Trustees Cannella, Vetere, Paladino and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: None

August 9, 2005

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM,  
THE RENOVATION OF ATHLETIC FIELDS AT PASSIDOMO PARK IN AND  
FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK,  
AT A MAXIMUM ESTIMATED COST OF \$2,239,700 AND AUTHORIZING THE  
ISSUANCE OF \$1,715,000 SERIAL BONDS OF SAID VILLAGE TO  
PAY PART OF THE COST THEREOF.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. The renovation of athletic fields at Passidomo Park, including turf and facility replacements, original equipment, machinery, equipment and apparatus, including incidental improvements and expenses, in and for the Village of Harrison, Westchester County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$2,239,700.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- (a) By the issuance of \$1,715,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and
- (b) By the application and expenditure of \$524,700 available current funds.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years**.

Section 4. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of

the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or in summary form in the *Journal News*, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Cannella	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Paladino	VOTING	AYE
Trustee Scappaticci	VOTING	AYE
Mayor Malfitano	VOTING	AYE

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

August 9, 2005

V - - 2005 - - 86

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM,  
THE PAYMENT OF A PORTION OF THE COST OF CONSTRUCTION AND  
RECONSTRUCTION WORK AT THE FIRE TRAINING CENTER NIKE BASE IN  
AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW  
YORK, AT A MAXIMUM ESTIMATED COST OF \$700,000 AND AUTHORIZING  
THE ISSUANCE OF \$700,000 SERIAL BONDS OF SAID VILLAGE TO  
PAY THE COST THEREOF.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. The payment of a portion of the cost of construction and reconstruction work at the Fire Training Center Nike Base, including original equipment, machinery, equipment, apparatus, appurtenances, site improvements, incidental including improvements and expenses, in and for the Village of Harrison, Westchester County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$700,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$700,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five (25) years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years**.

Section 4. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and

shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or in summary form in the *Journal News*, which is hereby designated as the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Cannella	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Paladino	VOTING	AYE
Trustee Scappaticci	VOTING	AYE
Mayor Malfitano	VOTING	AYE

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

August 9, 2005

BID AWARD TO BILOTTA CONSTRUCTION CORPORATION FOR DRAINAGE  
IMPROVEMENT PROJECTS ON ADELPHI AVENUE, LAWRENCE LANE  
AND GENESEE TRAIL COST: \$268,013.45

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to approve a Bid Award to Bilotta Construction Corp., 162 Crotona Avenue, Harrison, NY., having met all the requirements and specifications and being the lowest bidder for Drainage Improvement Projects on Adelphi Avenue, Lawrence Lane and Genesee Trail, in the amount of \$268,013.45.

FURTHER RESOLVED that, as funding in the amount of only \$225,000 is available under Capital Project #04DR16, and that additional funding in the amount of \$44,000 for the project is approved, with the funding source for said amount to be taken from Fund Balance.

FURTHER RESOLVED to authorize the Village Attorney to prepare the contract and the Mayor to execute it, and to authorize the Treasurer, upon receipt of claims to audit and upon audit the Mayor to pay same.

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

Adopted by the following vote:

AYES:	Trustees Cannella, Vetere, Paladino and Scappaticci Mayor Malfitano
NAYS:	None
ABSENT:	None

The Meeting was, on motion duly made and seconded,  
recessed for Executive Session.

The Meeting was, on motion duly made and seconded,  
reconvened at 12:06 on August 10, 2005.

There being no further matters to come before the Board, the Meeting was,  
on motion duly made and seconded, declared closed at 12:07 AM on August 10, 2005

Respectfully submitted,  
Joan B. Walsh  
Village Clerk

\* \* \* \* \*

The Meeting was, on motion duly made and seconded,  
recessed for Executive Session.

The Meeting was, on motion duly made and seconded,  
reconvened at 12:06 on August 10, 2005.

There being no further matters to come before the Board, the Meeting was,  
on motion duly made and seconded, declared closed at 12:07 AM on August 10, 2005

Respectfully submitted,  
Joan B. Walsh, Village Clerk



