

October 18, 2006

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 the 18th day of October at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano . . . . . Mayor

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

ALSO ATTENDING

Frank Allegretti . . . . . Town Attorney  
Joseph Latwin . . . . . Deputy Village Attorney  
Fred Castiglia . . . . . Village Attorney  
Robert Wasp . . . . . Commissioner of Public Works  
Maureen MacKenzie . . . . . Treasurer  
Judy D'Agostinis . . . . . Director of Purchasing  
David Hall . . . . . Chief of Police

October 18, 2006

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APPROVAL TO HOLD A PUBLIC HEARING ON NOVEMBER 9, 2006  
RE: THE INCREASE AND IMPROVEMENT OF THE CONSOLIDATED  
WATER DISTRICT. COST: \$470,000 INCLUDES BONDING COSTS.

On motion of Trustee Scappaticci, seconded by Trustee Vetere,

it was

RESOLVED THAT;

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, has received notice from the Westchester Joint Water Works that an increase and improvement is required on behalf of the Consolidated Water District, pursuant to Section 17-1712 of the Village Law and Section 202-b of the Town Law; and

WHEREAS, the improvements proposed for the Consolidated Water District will consist of the installation of replacement water mains on White Plains Avenue; and

WHEREAS, the maximum amount proposed to be expended for said improvements is \$470,000, and the method of financing the cost of said improvements shall be by the issuance of serial bonds of said Village maturing in annual installments over a period not exceeding forty years, such bonds to be payable from assessments levied upon all the taxable real property in the Water District, in the manner provided by law, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Village shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due; and

WHEREAS, it is now desired to call a public hearing upon the question of the increase and improvement of the Consolidated Water District in the manner aforesaid pursuant to Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. A meeting of the Board of Trustees of the Village of Harrison, Westchester County, New York, shall be held at the Village Hall, in Harrison, New York, in said Village, on the 9th day of November, 2006 at 7:30 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the increase and improvement of the Consolidated Water District of said Village as described in the preambles hereof, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Board of Trustees as may be required by law or shall be proper in the premises.

Section 2. The Village Clerk is hereby authorized and directed to cause a copy of the attached Notice of Hearing to be (i) published in *The Journal News*, the official newspaper of said Village, and (ii) posted on the Village sign board not less than ten nor more than 20 days prior to the date of the public hearing.

Section 3. This order shall take effect immediately.

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

Trustee Cannella  
Trustee Paladino  
Trustee Scappaticci  
Trustee Vetere  
Mayor Malfitano

October 18, 2006

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A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE CONSTRUCTION OF VARIOUS DRAINAGE AND SEWER IMPROVEMENTS IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$205,000 AND AUTHORIZING THE ISSUANCE OF \$205,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

On motion of Trustee Scappaticci, seconded 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 construction of various drainage and sewer improvements in and for the Village of Harrison, Westchester County, New York, including incidental costs and expenses in connection therewith, **SUBJECT TO PERMISSIVE REFERENDUM**, is hereby authorized at a maximum estimated cost of \$205,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$205,000 bonds of said Village, hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, 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 class of objects or purposes is forty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the 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 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.**

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

Trustee Cannella  
Trustee Paladino  
Trustee Scappaticci  
Trustee Vetere  
Mayor Malfitano

October 18, 2006

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A RESOLUTION AUTHORIZING VARIOUS CAPITAL ITEMS IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$150,500, AND AUTHORIZING THE ISSUANCE OF \$150,500 BONDS OF SAID VILLAGE TO PAY THE COSTS 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 following are hereby authorized in and for the Village of Harrison, Westchester County, New York:

- a) The installation of fencing town-wide at a maximum estimated cost of \$52,000, being a specific object or purpose having a period of probable usefulness of five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law;
- b) Replacement of the Gleason Garage door at a maximum estimated cost of \$12,500, being a specific object or purpose having a period of probable usefulness of five years pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law;
- c) Security improvements at Guagnini Park at a maximum estimated cost of \$10,500, being a specific object or purpose having a period of probable usefulness of five years pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law;
- d) Fuel tank removal at a maximum estimated cost of \$10,500, being a specific object or purpose having a period of probable usefulness of five years pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law; and
- e) The purchase of various equipment and apparatus at a maximum estimated cost of \$65,000, being a class of objects or purposes having a period of probable usefulness of five years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The total maximum estimated cost of the aforesaid objects or purposes is \$150,500, and the plan for the financing thereof is by the issuance of \$150,500 bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, to be allocated in accordance with the Section 1 hereof.

Section 3. It is hereby further determined that the maximum maturity of the bonds herein authorized **will not 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. This resolution, which takes effect immediately, shall be published in summary in *The Journal News*, which is hereby designated as the official newspaper 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.

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

Trustee Cannella  
Trustee Paladino  
Trustee Scappaticci  
Trustee Vetere  
Mayor Malfitano

October 18, 2006

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A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE REPLACEMENT OF GENERATORS AT VARIOUS FACILITIES, IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$310,000 AND AUTHORIZING THE ISSUANCE OF \$310,000 SERIAL BONDS OF SAID VILLAGE TO PAY 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 replacement of generators at various facilities in and for the Village of Harrison, Westchester County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$310,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$310,000 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 objects or purposes is ten years, pursuant to subdivision 13 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 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.**

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

Trustee Cannella  
Trustee Paladino  
Trustee Scappaticci  
Trustee Vetere  
Mayor Malfitano

October 18, 2006

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A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE CONSTRUCTION OF IMPROVEMENTS AT THE MUNICIPAL BUILDING IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$206,000 AND AUTHORIZING THE ISSUANCE OF \$206,000 SERIAL BONDS OF SAID VILLAGE TO PAY 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 construction of improvements at the Municipal Building in and for the Village of Harrison, Westchester County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$206,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$206,000 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 years, pursuant to subdivision 12(a)(1) 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 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.**

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

Trustee Cannella  
Trustee Paladino  
Trustee Scappaticci  
Trustee Vetere  
Mayor Malfitano

October 18, 2006

**BOND RESOLUTION DATED OCTOBER 18, 2006**

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**A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ACQUISITION OF VARIOUS ITEMS OF EQUIPMENT, MACHINERY AND APPARATUS IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$400,500 AND AUTHORIZING THE ISSUANCE OF \$400,500 SERIAL BONDS OF SAID VILLAGE TO PAY 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 acquisition of various items of equipment, machinery and apparatus in and for the Village of Harrison, Westchester County, New York, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$400,500.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$400,500 bonds of said Village, hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, 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 objects or purposes totaling \$355,000 is fifteen years and for objects or purposes totaling \$45,500, is ten years, pursuant to subdivision 28, of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the 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 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.**

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

Trustee Cannella  
Trustee Paladino  
Trustee Scappaticci  
Trustee Vetere  
Mayor Malfitano

October 18, 2006

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A RESOLUTION AUTHORIZING THE ISSUANCE OF \$700,000  
BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER  
COUNTY, NEW YORK, TO PAY THE COST OF PHASE II OF THE  
BEAVER SWAMP BROOK BROWNFIELD'S REMEDIATION  
PROJECT ALONG THE OAKLAND AVENUE CORRIDOR IN DOWN  
VILLAGE HARRISON, NEW YORK, IN AND FOR SAID VILLAGE.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED THAT;

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed, NOW, THEREFORE, BE IT

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

Section 1. Phase II of the Beaver Swamp Brook Brownfields Remediation Project along the Oakland Avenue Corridor in downtown Harrison, New York, in and for the Village of Harrison, Westchester County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$700,000.

Section 2. The plan for the financing of such specific object or purposes consists of the issuance of \$700,000 bonds of said Village, hereby authorized to be issued therefore 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 five years, pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. 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 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 5. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Village; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village

Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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 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 8. 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 9. The Village Treasurer is hereby further authorized, at her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The power to issue and sell notes to the New York State Environmental Facilities corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 11. 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 12. This resolution, which takes effect immediately, shall be published in summary form in the *Journal News*, the official newspaper of said Village hereby designated for such purpose, together with a notice of the Village Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

Trustee Cannella  
Trustee Paladino  
Trustee Scappaticci  
Trustee Vetere  
Mayor Malfitano

October 18, 2006

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APPROVAL OF PURCHASE ORDER #263353 IN THE AMOUNT OF \$25,310 FOR  
MISCELLANEOUS ITEMS FOR LAW ENFORCEMENT

On motion of Trustee Scapaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization of Purchase Order #263353 in the amount of \$25,310, for miscellaneous items for Law Enforcement. The vendor for these items is SKD Tactical, PO Box 25, Fishkill, NY 12524. This is a 2006 Budgeted Capital Improvement item.

FURTHER RESOLVED that funding is available in Account #006-3120-100-98-70.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

October 18, 2006

V - - 2006 - - 113

APPROVAL OF BID AWARD TO BILOTTA CONSTRUCTION CORP., OF  
HARRISON, NY., FOR ROAD RESURFACING AT VARIOUS LOCATIONS,  
IN THE AMOUNT OF \$673,190

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to award to Bilotta Construction Corporation of Harrison the Bid for the Road Resurfacing at various locations in the Town/Village of Harrison, in the amount of \$673,190.

FURTHER RESOLVED that funding is available in Capital Account #06HW05.

FURTHER RESOLVED that the Village Attorney prepare the contract and the Mayor be authorized to execute it.

FURTHER RESOLVED that the Treasurer, upon receipt of claims, to audit and, upon audit, the Mayor is authorized to pay same.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

October 18, 2006

V - - 2006 - - 114

APPROVAL OF PURCHASE ORDER #263404 IN THE AMOUNT OF \$18,440 FOR  
MISCELLANEOUS ITEMS FOR LAW ENFORCEMENT COMMUNITY  
EMERGENCY RESPONSE PROGRAM

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization of Purchase Order #263404 in the amount of \$18,440 for the Law Enforcement Community Emergency Response Program. The Vendor for these items is SKD Tactical, PO Box 25, Fishkill, NY 12524. This is a 2006 Budgeted Capital Improvement.

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

Adopted by the following vote:

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

October 18, 2006

V - - 2006 - - 115

APPROVAL OF AMENDMENT #2 TO THE CONTRACT WITH THE FIRM OF  
ALL POINTS SECURITY FOR ENGINEERING SERVICES RELATED TO THE  
MUNICIPAL BUILDING SECURITY, AT A COST NOT TO EXCEED \$7,500.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for Amendment #2 to the contract with All Points Security for engineering services related to the Municipal Building Security, at a cost not to exceed \$7,500, as follows:

Additional meetings	\$1,000.
Bid document preparation, including specifications and bid review	\$6,250.
Total cost of Amendment #2	\$7,250.

FURTHER RESOLVED that funding is available in the approved 2006 Capital budget.

FURTHER RESOLVED that the Law Department is authorized to execute this amendment and to increase the upset limit by \$7,250, from \$18,500 to \$25,750.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

October 18, 2006

V - - 2006 - - 116

APPROVAL OF CHANGES TO THE HOLIDAY SCHEDULE IN THE  
SANITATION DEPARTMENT

On motion of Trustee Vetere, seconded by Trustee Cannella,

it was

RESOLVED to authorize the recommendation of Commissioner of Public Works Bob Wasp for the following change to the Holiday bulk trash schedule:

The sanitation department will take Wednesday, November 1, 2006 as the holiday for Election Day, and allow them to work on Election Day. Sanitation employees would be off on Friday, November 10<sup>th</sup> for Veterans' Day, as a regularly scheduled holiday. By altering the schedule in this way, we will have two (2) weeks without bulk trash, followed by one week of bulk trash collection, and then no bulk collection the week of Thanksgiving.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

October 18, 2006

V - - 2006 - - 116 -- a

AUTHORIZATION FOR THE LAW DEPARTMENT TO PREPARE A CONTRACT  
WITH THE WESTCHESTER JOINT WATERWORKS  
FOR THE REPAVING OF LAKEVIEW AVENUE AND WHITE PLAINS AVENUE

There being no further matters to come before the Board,  
the meeting was, on motion duly made and seconded,  
declared closed at 12:24 AM on October 19, 2006.

Respectfully submitted,

Joan B. Walsh  
Village Clerk