

September 21, 2006

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 21st day of September 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
Jonathan Kraut 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
Arun Ankola Director, Information Technology

September 21, 2006

2006 - - V -- 91 (corrected)

AUTHORIZATION FOR ADDITIONAL FUNDS FOR EMERGENCY TREE REMOVAL
FOLLOWING TROPICAL STORM "ERNESTO" AMOUNT: \$29,509.

On motion of Trustee Vetere, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for authorization to expend \$29,509 from the 2005 Capital Tree Removal Project for emergency tree removal work performed by Central Tree Service after Tropical Storm Ernesto hit the Town the first weekend in September.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

V -- 2006 -- 92 (corrected)

APPROVAL OF AMENDMENT #3 TO THE CONTRACT
WITH THE FIRM OF GRANDBERG & ASSOCIATES
RE: MODIFICATIONS TO DESIGN OF PARKING GARAGE ADJACENT TO NEW
COURTHOUSE BUILDING; CONNECTOR TUNNEL AND GENERATOR DESIGN FOR
NEW BUILDING AND MUNICIPAL BUILDING

It was pointed out that the connector tunnel might possibly cost a couple of hundred thousand dollars, the study will determine the cost and the project might not be done. Trustee Vetere stated that he believed that the connector tunnel was a waste of taxpayers' money and he is opposed to it. Trustee Paladino said that he would vote for the planning for the tunnel, but wanted to know the cost before he voted final approval.

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 #3 to the contract with Grandberg and Associates for work related to modifications to the design of the parking garage and the connecting tunnel construction and generator design for the new Courthouse project, at a cost not to exceed \$68,000, as follows:

- a. Grandberg and Associates: architectural design task and coordination with sub-contractors related to the connecting tunnel: \$14,000
- b. Gilsanx, Murray, Steficek: changes to the size of the parking structure and new underground connecting tunnel from the Courthouse to the Municipal Building. \$32,000
- c. O'Dea, Lynch and Abbattista: engineering services related to the design of the back-up generator for the connecting tunnel and municipal building as well as the design of the heating and ventilation systems. \$22,000

FURTHER RESOLVED that this cost will be bonded and the funds placed in Capital Account 04GB21.

FURTHER RESOLVED that the Law Department execute the Amendment and increase the upset limit of the contract by \$68,000, from \$683,895 to \$751,963. (VBR 2006-36-b)

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

V -- 2006 -- 93

AUTHORIZATION FOR TRANSFER OF DEBT FUNDS
RE: WJWW LARCHMONT HYPOCHLORINATION SYSTEM

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Treasurer Maureen MacKenzie and authorize a transfer of funds to the Debt Service Fund, as follows:

Capital Project #	Capital Project Name	Amount to transfer:
98W215	WJWW Larchmont Hypochlorination System	\$123,611.00

These funds will be used to pay down the debt of Water District #2.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

BOND RESOLUTION DATED SEPTEMBER 21, 2006.

V -- 2006 -- 94 --a

A RESOLUTION AUTHORIZING VARIOUS CAPITAL ITEMS IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$43,000, AND AUTHORIZING THE ISSUANCE OF \$43,000 BONDS OF SAID VILLAGE TO PAY THE COSTS THEREOF.

On motion of Trustee Cannella, 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 following are hereby authorized in and for the Village of Harrison, Westchester County, New York:

a) The purchase of garbage receptacles at a maximum estimated cost of \$11,000, being a class of objects or purposes 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; and

b) The purchase of equipment and supplies for street lighting at a maximum estimated cost of \$32,000, being a class of objects or purposes having a period of probable usefulness of five years pursuant to subdivisions 32 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 \$43,000, and the plan for the financing thereof is by the issuance of \$43,000 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.

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

Trustee Canella_____	VOTING	___	_____	<u>AYE</u>
Trustee Vetere_____	VOTING	___	_____	<u>AYE</u>
Trustee Paladino_____	VOTING	___	_____	<u>AYE</u>
Trustee Scappaticci_____	VOTING	___	_____	<u>AYE</u>
Mayor Malfitano_____	VOTING	___	_____	<u>AYE</u>

The resolution was thereupon declared duly adopted.

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BOND RESOLUTION DATED SEPTEMBER 21, 2006.

V -- 2006 -- 94 --b

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE PURCHASE OF HEAVY EQUIPMENT AND APPARATUS FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$550,000 AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT 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 purchase of heavy equipment and apparatus for the Village of Harrison, Westchester County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$550,000, to be allocated \$534,500 to equipment having a period of probable usefulness of fifteen years, and \$15,500 to equipment having a period of probable usefulness of ten years.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$550,000 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 fifteen years and ten years, respectively, 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.**

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

<u>Trustee Canella</u>	<u>VOTING</u>	<u>AYE</u>
<u>Trustee Vetere</u>	<u>VOTING</u>	<u>AYE</u>
<u>Trustee Paladino</u>	<u>VOTING</u>	<u>AYE</u>
<u>Trustee Scappaticci</u>	<u>VOTING</u>	<u>AYE</u>
<u>Mayor Malfitano</u>	<u>VOTING</u>	<u>AYE</u>

The resolution was thereupon declared duly adopted.

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BOND RESOLUTION DATED SEPTEMBER 21, 2006.

V -- 2006 -- 94 -- c

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, IMPROVEMENTS AT THE MUNICIPAL BUILDING IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$225,000 AND AUTHORIZING THE ISSUANCE OF \$225,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT 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. Improvements at the municipal building in and for the Village of Harrison, Westchester County, New York, including installation of a security system (\$123,000) and the replacement of a boiler (\$102,000), are hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$120,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$225,000 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 specific objects or purposes is ten years, pursuant to subdivision 90 (subdivision 35 applicable to the security system, and subdivision 13 applicable to the boiler), 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.**

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

<u>Trustee Canella</u>	<u>VOTING</u>	<u>AYE</u>
<u>Trustee Vetere</u>	<u>VOTING</u>	<u>AYE</u>
<u>Trustee Paladino</u>	<u>VOTING</u>	<u>AYE</u>
<u>Trustee Scappaticci</u>	<u>VOTING</u>	<u>AYE</u>
<u>Mayor Malfitano</u>	<u>VOTING</u>	<u>AYE</u>

The resolution was thereupon declared duly adopted.

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September 21, 2006

V -- 2006 -- 95

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS
RE: REPLACEMENT OF BOILER IN MUNICIPAL BUILDING
RE: REPLACEMENT OF TWO GARAGE DOORS -- GLEASON PLACE GARAGE

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 to advertise and receive bids for:

a --the replacement of the boiler in the Municipal Building and

b --replacements of the Highway and Middle Garage doors at the Gleason Place Garage.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

V -- 2006 -- 96

BID AWARD TO WILLOW MOTOR SALES OF PORT CHESTER, NY

RE: 2007 DUMP TRUCK FOR THE PARKS DEPARTMENT

COST: \$79,500

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing and award to Willow Motor Sales of Port Chester, NY, having met all the Bid specifications and being the lowest bidder, the Bid for a 2007 Dump Truck with Stainless Body for the Parks Department.

Bid Price:	\$78,300
Extended Warranty of entire power train, rear axle & transmission -- 100% parts and labor	<u>1,200</u>
Total:	\$79,500

FURTHER RESOLVED that the funds will come from the 2005 Capital Budget.

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

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

Adopted by the following vote:

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

September 21, 2006

V -- 2006 -- 97 (corrected)
BID AWARD TO REGGIE PINK, INC., OF WHITE PLAINS, NY
FOR FOUR HEAVY DUTY MOTORCYCLES
COST: \$22,910.80

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of the Director of Purchasing for a Bid Award to Reggie Pink, Inc., of White Plains, NY, having met all the requirements of the specifications and being the lowest bidder for four (4) heavy duty police style motorcycles – C. I. #06PO08, as follows:

Bid price for each:	\$ 18,827.70
Total for four (4)	\$ 75,310.80
less trade-in of six (6) motorcycles:	<u>\$-52,400.00</u>
Total	\$ 22,910.80

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

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

V -- 2006 -- 98

APPROVAL OF PURCHASE ORDER #263209
TO GABRIELLI TRUCK SALES LTD. BRONX, NY FOR
A 2006 MACK 25-YARD REAR-LOADING SANITATION TRUCK
COST: \$161,981

This is a 2006 Capital Improvement Budget item. This price is per the County contract.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve Purchase Order # 263209 to Gabrielli Truck Sales, Ltd. of Bronx, NY, for a 2006 Mack 25-yard rear-loading Sanitation truck, at the total price, including options, of \$161,981.00.

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

Adopted by the following vote:

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

September 21, 2006

V -- 2006 -- 99

APPROVAL OF PURCHASE ORDER #262982 TO JOE COOPER FORD OF
OKLAHOMA CITY, OK., FOR SIX (6) POLICE VEHICLES COST: \$137,010

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve Purchase Order # 262982 to Joe Cooper Ford of Oklahoma City, OK, for six police vehicles with options, as in attached P.O., for a total cost of \$137,010.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

V -- 2006 -- 100

APPROVAL OF PURCHASE ORDER #262983
TO T.C.D. CELLULAR COMMUNICATIONS OF MAMARONECK, NY,
FOR EQUIPMENT FOR NEW POLICE VEHICLES

Director of Purchasing Judy D'Agostinis stated that this equipment is federally compliant.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve Purchase Order #262983 to T.C.D. Cellular Communications of Mamaroneck, NY, for the necessary equipment for the new police vehicles, as per the attached P.O., for a total cost of \$55,728. This is a sole source supplier. Funding is available in account 006-3120-100-98-75.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

V -- 2006 -- 101

APPROVAL OF PURCHASE ORDER #262977 TO RUBLE VANCE CHEVROLET
OF PERRY, OK., FOR TWO (2) 2006 CHEVROLET IMPALAS FOR THE
POLICE DEPARTMENT COST: \$39,800

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve Purchase Order #262977 to Ruble Vance Chevrolet of Perry, OK, for two (2) 2006 Chevrolet Impalas for use as unmarked Police cars, for a total cost of \$39,800. Funding is available in account 006-3120-100-98-75.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

September 21, 2006

V -- 2006 -- 102 (corrected)
APPROVAL OF PURCHASE ORDER #263032
TO GABRIELLI TRUCK SALES, LTD OF BRONX, NY,
FOR A 2006 MACK 25-YARD REAR-LOADING SANITATION TRUCK
COST: \$161,981

This is a **2005** Capital Improvement Budget item. This Bid is per the County contract.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve Purchase Order # 263032 to Gabrielli Truck Sales, Ltd. of Bronx, NY, for a 2006 Mack 25-yard rear-loading Sanitation truck, at the total price including options of \$161,981.00.

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

Adopted by the following vote:

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

BOND RESOLUTION DATED SEPTEMBER 21, 2006

V -- 2006 -- 103

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, ROADWAY RECONSTRUCTION, INCLUDING CURBS, SIDEWALKS, AND DRAINAGE ON OAKLAND AVENUE, IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$430,000 AND AUTHORIZING THE ISSUANCE OF \$430,000 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. Roadway reconstruction, including curbs, sidewalks, and drainage on Oakland Avenue, as well as resurfacing of park access driveway, including fencing and drainage, in and for the Village of Harrison, Westchester County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$430,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$430,000 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 fifteen (15) years, pursuant to subdivision 20(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 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 Canella	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Paladino	VOTING	AYE
Trustee Scappaticci	VOTING	AYE
Mayor Malfitano	VOTING	AYE

September 21, 2006

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MATTERS FOR EXECUTIVE SESSION

Personnel 1

On motion duly made and seconded, with all members voting in favor, the Meeting was recessed for Executive Session at 9:05 PM.

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

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

Respectfully submitted,

Joan B. Walsh
Village Clerk