

June 14, 2007

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 Thursday, June 14, 2007, at 7:30 PM. Eastern Daylight Savings Time. All members having received due notice.

MEMBERS PRESENT:

Stephen Malfitano . . . . . Mayor

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

ALSO ATTENDING:

Frank Allegretti . . . . . Town Attorney  
Fred Castiglia . . . . . Village Attorney  
Jonathan Kraut . . . . . Deputy Village Attorney  
Joseph Latwin . . . . . Deputy Village Attorney  
Robert Wasp . . . . . Commissioner of Public Works  
Maureen MacKenzie . . . . . Treasurer  
Ron Belmont . . . . . Superintendent of Recreation

June 14, 2007

V -- 2007 -- 074 -- a

PUBLIC HEARING RE: THE COST OF THE INCREASE AND IMPROVEMENT OF THE  
FACILITIES OF THE CONSOLIDATED WATER DISTRICT  
RE: THE LARCHMONT PLANT -- ESTIMATED COST: \$1,113,600,  
WITH HARRISON'S SHARE ESTIMATED TO BE \$616,900.

The cost is apportioned according to the volume of water consumed by each of the three entities, the Village of Harrison, the Village of Mamaroneck and the Town of Mamaroneck.

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

No one spoke for or against the proposal.

On motion of Trustee Paladino, seconded by Trustee Cannella, with all members voting in favor, the hearing was closed.

June 14, 2007

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$625,000 SERIAL BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED WATER DISTRICT IN THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK.

On motion of Trustee Paladino, seconded by Trustee Scappaticci,

it was

RESOLVED to authorize the issuance of \$625,000 Serial Bonds to pay the cost of the Increase and Improvement of the facilities of the Consolidated Water District as follows:

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 17-1712 of the Village Law and Section 202-b of the Town Law, and more particularly an order of even date herewith, said Board of Trustees has determined it to be in the public interest to increase the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, at a maximum estimated cost of \$1,113,600 (of which \$616,900 is the Village's share plus bonding costs); and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the Village's share of the construction of improvements to the Larchmont Plant, there are hereby authorized to be issued \$625,000 serial bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$1,113,600, and that the plan for the financing thereof is (i) by the issuance of the \$625,000 serial bonds of said Village authorized to be issued pursuant to this bond resolution; and (ii) by the funding of the balance of such cost from the other members of the Westchester Joint Water Works.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 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. 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 5. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations 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 obligations becoming due and payable in such year.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto shall be determined by the Village Treasurer.

Section 7. The Village Treasurer is hereby further authorized, at his or 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 serial 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 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. 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 10. This resolution which takes effect immediately shall be published in summary form in *The Journal News*, the official newspaper, 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	VOTING	AYE
Trustee Paladino	VOTING	AYE
Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Mayor Malfitano	VOTING	AYE

June 14, 2007

V - - 2007 - - 074 - - c

At a regular meeting of the Board of Trustees of the

Village of Harrison, Westchester County, New York, held at the Village Hall, in Harrison, New York in said Village, on June 14, 2007, at 7:30 o'clock P.M., Prevailing Time.

PRESENT:

Stephen Malfitano  
Mayor

Joseph Cannella  
Trustee

Robert Paladino  
Trustee

Thomas Scappaticci  
Trustee

Patrick Vetere  
Trustee

\_\_\_\_\_  
:  
:  
In the Matter of :  
:  
the Increase and Improvement of the Facilities :  
of the Consolidated Water District in the Village :  
of Harrison, Westchester County, New York :  
:  
\_\_\_\_\_:

**PUBLIC  
INTEREST  
ORDER**

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, has received written notice from the Westchester Joint Water Works that an increase and improvement of the facilities is required for the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the Village's share of the construction of improvements to the Larchmont Plant; and

WHEREAS, at a meeting of said Board of Trustees duly called and held on May 24, 2007, an order was duly adopted by it and entered in the minutes specifying the said Board of Trustees would meet to consider the increase and improvement of the facilities of the Consolidated Water District in said Village at a maximum estimated cost of \$1,113,600 (of which \$625,000 is the Village's share), and to hear all persons interested in the subject thereof concerning the same at the Village Hall, in Harrison, New York, in said Village, on June 14, 2007, at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Village Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the Village's share of the construction of improvements to the Larchmont Plant, at a maximum estimated cost of \$1,113,600 (of which \$625,000 is the Village's share), including bonding costs.

Section 2. This order shall take effect immediately.

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

\_\_\_\_\_ VOTING \_\_\_\_\_

\_\_\_\_\_ VOTING \_\_\_\_\_

\_\_\_\_\_ VOTING \_\_\_\_\_

\_\_\_\_\_ VOTING \_\_\_\_\_

\_\_\_\_\_ VOTING \_\_\_\_\_

The order was thereupon declared duly adopted.

\* \* \* \* \*

June 14, 2007

V -- 2007 -- 075 (corrected)

AUTHORIZATION FOR THE TRANSFER OF \$397,531.52 FROM VARIOUS CAPITAL PROJECT ACCOUNTS TO THE DEBT SERVICE ACCOUNT

Treasurer MacKenzie had submitted a list of capital accounts which still had money in them although the projects had been completed. When the list was reviewed, it was agreed that the Lake Street Yard Infrastructure Account would remain at \$7,500 and the funds used to replace the DOT garage roof. It was further agreed that the \$62,107.83 in the Woodlands and Sterling Roads Drainage account would be retained for further discussion to determine if further improvements in that area are needed following the flooding from the storm of April 15, 2007.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to authorize Treasurer Maureen MacKenzie to transfer funds from the following capital accounts to the debt service account:

<u>Capt. Project#</u>	<u>Capt. Project Name</u>	<u>Amount to Transfer</u>
96RP06	Guard Rail	\$61,281.81
97W226	Joint Projects A1144 thru A1149	\$32,587.77
98DR10	Woodlands and Sterling Drainage	\$62,107.83
99HW03	Road Resurfacing/Reconstruction	\$ 1,300.39
00GB11	Reconstruction of Buildings	\$ 3,485.17
02HW08	Road Resurfacing 2002	\$ 3,896.98
02RP04	Veterans Park/Crystal Street	\$21,359.65
02SD03	Park Lane Sewer. Pump Upgrade	\$62,092.00
04GB14	Lake St. Yard Infrastructure	\$ 600.03* Amount must be
04PO24	Police Dept Shed	\$40,000.00 changed. \$7500
05F105	Fire District 1 / Fire Training Bldg	\$14,742.46 to replace roof at
05GB09	Nike Site Work Fire Training	\$ 3,587.80 DOT Garage.
05GB15	GTB Vehicles	\$ 1,067.05
05HW06	Road Resurfacing 2005	\$ 5,973.77
05HW13	Sidewalks 2005	\$ 6,316.00
05PO02	Police Dept. Vehicles	\$ 6,570.16
05PW27	Various Public Works Proj.	\$ 5,936.02
05SA17	Sanitation Vehicles	\$17,517.27
05W203	WJWW Corp. Pk. Water Main	\$ 3,160.96
05W211	WJWW Install 12"Main LakeView	\$27,277.72
06W223	WJWW A-1234 White Plains Ave.	\$ 5,991.95
06W204	WJWW-Valves Pleasant Ridge Rd	\$ 2,284.86
06W203	WJWW Water Main Valley Ridge	\$ 3,105.50
06RP30	Parks Back Hoe Attachments	\$ 3,317.03
06RP20	Fencing	\$ 234.92

06GB19	GTB Misc. Repairs and Renovat.	\$ 852.98
06GB16	Sewer Line at Gleason Garage	<u>\$ 883.44</u>
	<b>TOTAL:</b>	<b>\$405,031.52</b>
<b>Per the request of the Commissioner on 6/12/2007</b>		<b>( 7,500.00)</b>
	<b>TOTAL:</b>	<b>\$397,531.52</b>

To close out completed projects and transfer remaining funds to the Debt Service Fund.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE  
REFERENDUM, THE PAYMENT TO DIVERSIFIED TECHNOLOGY  
CONSULTANTS IN CONNECTION WITH BID ASSISTANCE AND  
CONSTRUCTION ADMINISTRATION, IN AND FOR THE VILLAGE OF  
HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM  
ESTIMATED COST OF \$320,000 AND AUTHORIZING THE ISSUANCE OF  
\$320,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST 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 payment to diversified technology consultants in connection with bid assistance and construction administration in connection with the north side improvements and new exit road at Passidomo Park in and for the Village of Harrison, Westchester County, New York, is hereby authorized, **SUBJECT TO PERMISSIVE REFERENDUM**, at a maximum estimated cost of \$320,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$320,000 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 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 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	VOTING	AYE
Trustee Paladino	VOTING	AYE
Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	NAY
Mayor Malfitano	VOTING	AYE

June 14, 2007

V -- 2007 -- 077  
AUTHORIZATION FOR AMENDMENT #4  
TO THE CONTRACT WITH GRANDBERG & ASSOCIATES  
RE: NEW COURTHOUSE FACILITY AND PARKING STRUCTURE:  
COST \$107,280. TOTAL COST OF CONTRACT TO DATE: \$859,243

Trustee Cannella requested a three section spreadsheet regarding this project, listing each sub-project within the overall project, with the estimated cost and the actual cost.

Resident Lucille Held commented that more that \$900,000 has been spent on consultant costs, without a shovel being put in the ground.

Commissioner of Public Works Bob Wasp replied that some of these costs are for oversight during construction.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for authorization for contract Amendment #4 with Grandberg & Associates for structural engineering services related to the redesign of the parking deck structure plus bid assistance and construction engineering support at a cost not to exceed \$107,280 for subcontractors as follows:

Gilsanz, Murray and Steficek - Parking Structure	\$19,500.
HDR – New Courthouse Facility	
Bid Assistance Services	\$15,632.
Construction Engineering Support Services	\$67,027.
Miscellaneous Expenses	\$ 5,121.

FURTHER RESOLVED to authorize the Treasurer to bond the \$107,280 (plus \$3,219 in bonding costs) and said funds be placed in Capital Account #04GB21.

FUTHER RESOLVED to authorize the Treasurer to audit, and upon audit the Mayor to pay same.

FURTHER RESOLVED to authorize the Law Department to execute said amendment and to increase the upset limit for Grandberg & Associates by \$107,280. from \$751,963 to \$859,243.

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

Adopted by the following vote:

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

June 14, 2007

V -- 2007 -- 078

BID AWARD TO GABRIELLI TRUCK SALES, LTD, BRONX, NY  
FOR THREE (3) SIX-WHEEL DUMP TRUCKS AT \$193,075 EACH  
TOTAL COST: \$579,225

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for a Bid Award to Gabrielli Truck Sales, Ltd, 3333 Conner St, Bronx, NY, having met all the requirements and specifications for the purchase of three (3) 6-Wheel Dump Trucks with Plows & Spreaders, at a total of \$193,075 each, total for three \$579,225. Funding is available in C.I. #05HW21, 06HW17 and 06PW26.

FURTHER RESOLVED to authorize the Village Attorney to prepare the contract, which the Mayor is authorized to execute.

FURTHER RESOLVED 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 Commissioner of Public Works, and the Village Attorneys.

Adopted by the following vote:

AYES: Trustees Cannella, Vetere and Scappaticci  
Mayor Malfitano

NAYS: Trustee Paladino

ABSENT: None

June 14, 2007

V -- 2007 -- 079

BID AWARD TO GABRIELLI TRUCK SALES, LTD, BRONX, NY  
FOR THREE (3) SUPER DUTY 4x4 DUMP TRUCKS AT \$90,701 EACH  
TOTAL COST: \$272,103

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for a Bid Award to Gabrielli Truck Sales, Ltd, 3333 Conner St, Bronx, NY, having met all the requirements of the specifications for the purchase of three (3) Super Duty 4x4 Dump Trucks with Crew Cabs, Plows & Sandspreaders, at a total of \$90,701 each, total for three \$272,103, with funding available in C.I. #05HW21 and 06PW26.

FURTHER RESOLVED to authorize the Village Attorney to prepare the contract, which the Mayor is authorized to execute.

FURTHER RESOLVED 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 Commissioner of Public Works, the Village Attorneys and the Treasurer.

Adopted by the following vote:

AYES: Trustees Cannella, Vetere and Scappaticci  
Mayor Malfitano

NAYS: Trustee Paladino

ABSENT: None

June 14, 2007

V -- 2007 -- 080

OLD BUSINESS:

PROPOSED CONTRACT WITH WOODARD AND CURRAN RE: DESIGN OF A  
WEB-BASED G.I.S INFRASTRUCTURE MAPPING PROGRAM.

This matter was held for a future meeting.

On motion duly made and seconded, with all members voting in favor,  
The Meeting was recessed for executive session at 9:16 PM.

On motion duly made and seconded, with all members voting in favor,  
the Meeting was re-convened at 10:20 PM.

There being no further matters to come before the Board  
the Meeting was declared closed at 10:20 PM.

Respectfully submitted,

Joan B. Walsh  
Village Clerk.