

December 19, 2019

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 Thursday, December 19, 2019 at 7:00 PM. Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont.....Mayor

Richard Dionisio.....)

Frank Gordon.....).....Trustees

Stephen Malfitano...)

Fred Sciliano.....)

ALSO ATTENDING:

Frank Allegretti Town Attorney

Andrea Rendo.....Deputy Village Attorney

Maureen MacKenzie.....Treasurer

Gerry Salvo.....Superintendent of Recreation

John Vasta.....Chief of Police

Michael Amodeo.....Village Engineer

Anthony Robinson.....Commissioner of Public Works

December 19, 2019

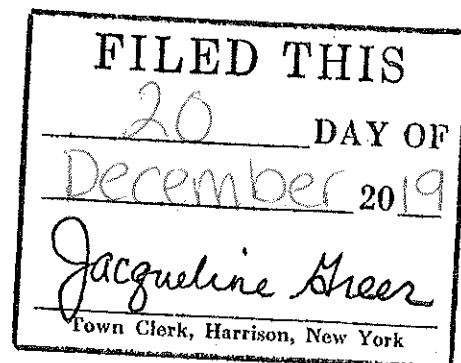
V- -2019- -134

CONTINUATION OF PUBLIC HEARING REGARDING PROPOSED LOCAL LAW
REGARDING AMENDING CHAPTER 5 ENTITLED "ETHICS, CODE OF" BY
REPEALING AND REPLACING SECTION 5-4 ENTITLED "REPRESENTATION OF
PRIVATE INTERESTS" OF THE VILLAGE CODE OF THE VILLAGE OF HARRISON

On motion on Trustee Malfitano, seconded by Trustee Gordon, the hearing was opened.

Deputy Village Attorney Rendo distributed a draft of the proposed Local Law amending Chapter 55 entitled "Ethics, Code of" for the Boards review and input. Ms. Rendo suggested that this hearing be continued at the January 2, 2020 meeting.

On motion on Councilman Malfitano, seconded by Councilman Gordon, the hearing will continue to the January 2, 2020 meeting.



December 19, 2019

V- -2019- -135- -A

PUBLIC HEARING REGARDING INCREASE AND IMPROVEMENTS OF
WESTCHESTER JOINT WATER WORKS REHABILITATION OF
WINGED FOOT WATER STORAGE TANK AT A MAXIMUM ESTIMATED COST
OF \$1,668,000

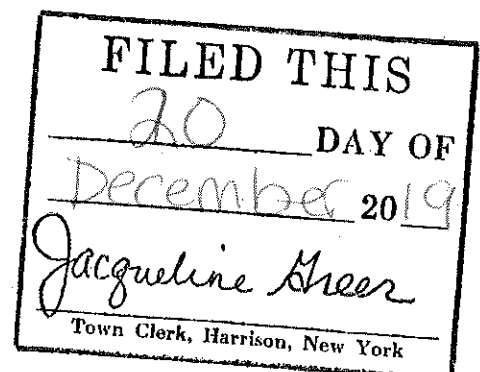
On motion of Trustee Gordon, seconded by Trustee Dionisio, the hearing was opened.

Mr. David Birsdall of the Westchester Joint Water Works (WJWW) addressed the Board with regards to the Winged Foot Water Storage Tank. The tank is a 750,000-gallon elevated hydropillar located in the Town of Mamaroneck. The tank provides critical capacity for peak demand times and also in the case of fire conditions for the joint system. The proposed project is a total cost of \$3,000,000 with the Town/Village of Harrison's share of the project being \$1,668,000. He expected the project to be done sometime in 2020.

Trustee Gordon asked Mr. Birsdall to give the public a general overview of what the various takes are for within the system.

Mr. Birsdall explained that the water storage tanks are in the system to provide capacity for those situations where excess demand occurs in the system such as early morning periods and also during the summer months when you have a high amount of lawn irrigation. In the case of emergencies; if there is a failure in the system the tanks will help supplement the system during those times.

On motion of Trustee Gordon, seconded by Trustee Dionisio, the hearing was closed.



December 19, 2019

V- -2019- -135- -B

PUBLIC INTEREST ORDER FOR INCREASE AND IMPROVEMENTS OF
WESTCHESTER JOINT WATER WORKS REHABILITATION OF WINGED FOOT WATER
STORAGE TANK, DETERMINING THE PROJECT TO BE IN THE PUBLIC INTEREST

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 December 19, 2019, at 7 o'clock P.M., Prevailing Time.

PRESENT:

Mayor Belmont

Trustee Dionisio

Trustee Gordon

Trustee Malfitano

Trustee Sciliano

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 rehabilitation of the Winged Foot water storage tank; and

WHEREAS, at a meeting of said Board of Trustees duly called and held on December 5, 2019, 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 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 December 19, 2019, at 7:00 o'clock P.M., Prevailing Time; and

WHEREAS, notice of such hearing 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 rehabilitation of the Winged Foot water storage tank, at a maximum estimated cost of \$1,668,000.

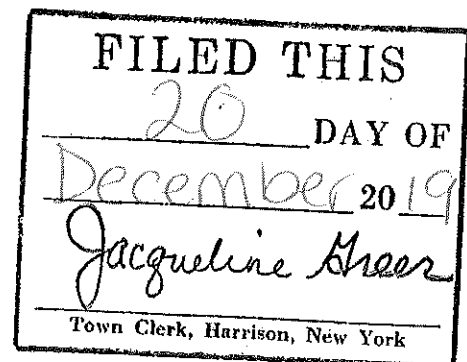
Section 2. This order shall take effect immediately.

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

Mayor Belmont	VOTING	AYE
Trustee Dionisio	VOTING	AYE
Trustee Gordon	VOTING	AYE
Trustee Malfitano	VOTING	AYE
Trustee Sciliano	VOTING	AYE

The order was thereupon declared duly adopted.

* * * * *



December 19, 2019

V- -2019- -135- -C

APPROVAL OF A BOND RESOLUTION IN THE AMOUNT OF \$1,668,000 FOR
INCREASE AND IMPROVEMENTS OF WESTCHESTER JOINT WATER WORKS
REHABILITATION OF WINGED FOOT WATER STORAGE TANK

BOND RESOLUTION DATED DECEMBER 19, 2019.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,668,000 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.

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 and improve the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, at a maximum estimated cost to the Village of \$1,668,000; 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 rehabilitation of the Winged Foot water Storage tank, at a maximum estimated cost \$1,668,000, there are hereby authorized to be issued \$1,668,000 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 object or purpose is \$1,668,000, and that the plan for the financing thereof is by the issuance of the \$1,668,000 serial bonds of said Village authorized to be issued pursuant to this bond resolution.

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.

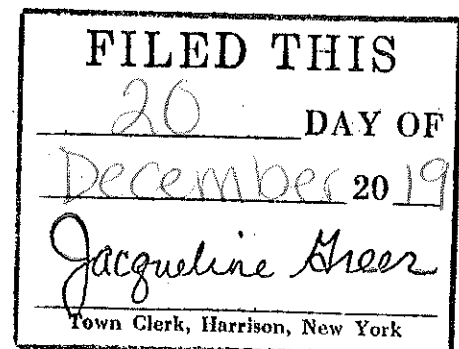
Section 10. This resolution which takes effect immediately shall be published in summary form in The Journal News, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Mayor Belmont	VOTING	AYE
Trustee Dionisio	VOTING	AYE
Trustee Gordon	VOTING	AYE
Trustee Malfitano	VOTING	AYE
Trustee Sciliano	VOTING	AYE

The order was thereupon declared duly adopted.

* * * * *



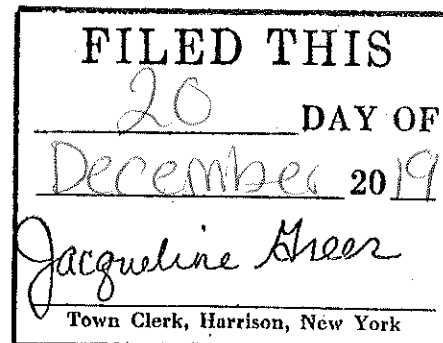
December 19, 2019

V- -2019- -135- -D

PRESENTATION BY DAVID BIRSDALL OF WESTCHESTER JOINT WATER WORKS

Mayor Belmont said the Westchester Joint Water Works will give a brief overview to the public on what is going on at the water works.

Mr. Birsdall explained that the Rye Lake Treatment Facility is a project that was approved last year. The engineering is still on-going for this and expected to start construction early next year with an anticipated completion in 2020 and the facility going into service the later part of the year. It is designed to further enhance water quality and is part of a larger compliance project to address the EPA's service water treatment rules. The estimated cost of that project was \$8,000,000 with the Town/Village of Harrison's share at \$4,300,000. WJWW recently received a Water Infrastructure Improvement Act Grant for \$3,200,000 that will help defray the cost of the project. In January WJWW will be coming to the Board to provide details on the WJWW five-year joint capital project plan. Mr. Birdsall briefed the Board on a multi-year project to construct a filtration facility for Rye Lake that ultimately will bring WJWW into full compliance with the EPA Water Treatment Rules.

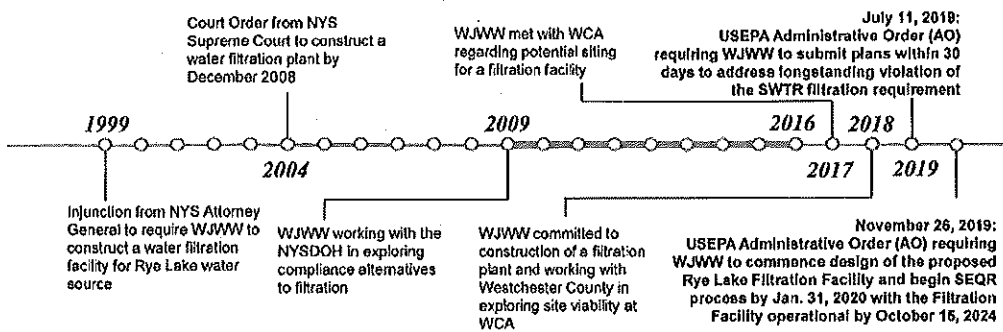
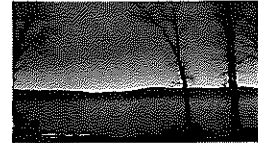




Westchester Joint
Water Works

Filtration Facility Background

United States Environmental Protection Agency (USEPA)
Surface Water Treatment Rule (SWTR) Filtration
Requirement Compliance History



FILED THIS

20

DAY OF

December 2019

Jacqueline Greer

Town Clerk, Harrison, New York

December 19, 2019

V- -2019- -136

AUTHORIZATION TO TRANSFER TO DEBT SERVICE

On motion of Trustee Dionisio, seconded by Trustee Gordon,

it was

RESOLVED to accept the request by Treasurer, Maureen MacKenzie, to transfer the following to Debt Service:

<u>Capt. Project#</u>	<u>Capt.Project Name</u>	<u>Amount to Transfer</u>
08PW04	Public Works Building #1	\$ 20,327.70
14HW11	Improvement Organic Waste Station	\$ 29,212.89
17RP08	Parks Dump Truck	\$ 560.38
	TOTAL:	\$ 50,100.97

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

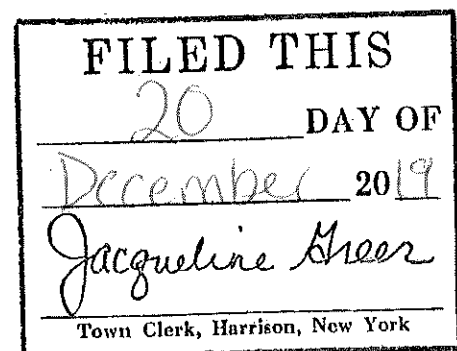
FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano, and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



December 19, 2019

V- -2019- -137

APPROVAL OF THE 2019 YEAR END BUDGET TRANSFERS

On motion of Trustee Dionisio, seconded by Trustee Sciliano,

it was

RESOLVED to accept the request by Treasurer, Maureen MacKenzie, to approve 2019 Year End Budget Transfers:

To Cover overages in 2019

Increase:

005-1420-100-0102
Village Law-Salaries

10,928

Decrease:

005-1900-100-4490
Village-Contingency

10,928

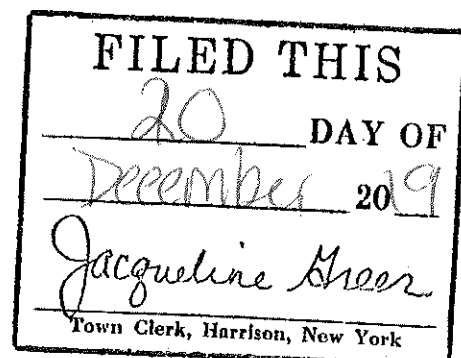
FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano, and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



December 19, 2019

V- -2019- -138

AUTHORIZATION TO REDUCE A PURCHASE ORDER PAYABLE TO THE LYTER
GROUP FOR LIBRARY READING GARDEN CONSTRUCTION

On motion of Trustee Gordon, seconded by Trustee Dionisio,

it was

RESOLVED to accept the request by Village Engineer, Michael Amodeo, to reduce PO #392293 payable to the Lyter Group for Library Reading Garden construction by \$1,000 from the amount of \$109,625.00 to \$108, 625.00.

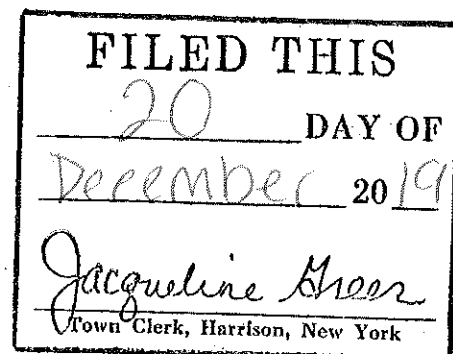
FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano, and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



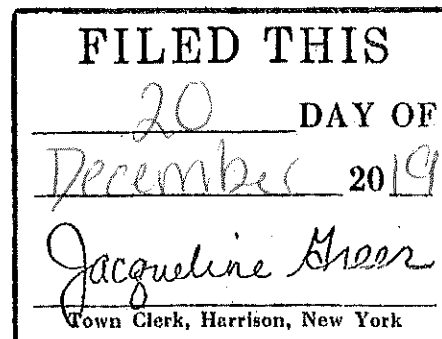
December 19, 2019

V- -2019- -139

DISCUSSION OF A BOND RESOLUTION FOR THE NEW RECREATION CENTER

Supervisor Belmont addressed the Board and the public explaining he would like to present a Bond Resolution in the amount of \$18,000,000 in preparation for a new Recreation Center. Supervisor Belmont explained that the Board is committed to this and wanted to do it this year to get as much done as possible. The Supervisor was told last week that the rates are really good now and we want to move along quickly.

Councilman Gordon explained his reasoning for voting against the Resolution. Councilman Gordon said he didn't think it was appropriate at this time and he didn't think it was legal at this time. Councilman Gordon referenced that in the SEQRA Handbook it said "If a municipality makes a Bond Resolution for a capital project, must the Bond Resolution undergo SEQRA review and does the scope of such review cover the project that is being financed by the Bond Resolution?" Councilman Gordon explained that the answer in that handbook is that the Bond Resolution requires SEQRA review if it comes with the definition of action and is not for an action classified as a Type 2 Action. The scope of the review should include the project that is being financed. We have not engaged in a SEQRA review for this project. Councilman Gordon continued by explaining that he noted a carve out in the Bond Resolution that attempts to excuse the action from having a review from SEQRA. Councilman Gordon explained it really works if SEQRA is required, which he surmised, in his view it is. That review needs to take place before we do a Bond Resolution. Councilman Gordon opined this is premature at this time under the law to adopt a Bond Resolution and that was why he had voted "no."



December 19, 2019

V- -2019- -139

APPROVAL OF A BOND RESOLUTION FOR THE NEW RECREATION CENTER

BOND RESOLUTION DATED DECEMBER 19, 2019.

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW COMMUNITY CENTER TO BE LOCATED AT 270 HARRISON AVENUE, IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$18,000,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$18,000,000 SERIAL BONDS OF SAID VILLAGE TO PAY COSTS 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 construction of a new community center to be located at 270 Harrison Avenue, including furnishings, equipment and site improvements, in and for the Village of Harrison, Westchester County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$18,000,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$18,000,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that no expenditures shall be made nor financings undertaken in connection with this project (other than for purposes of satisfying requirements of the State Environmental Quality Review Act ("SEQR")) unless and until all steps required under SEQR have been satisfied..

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11 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.

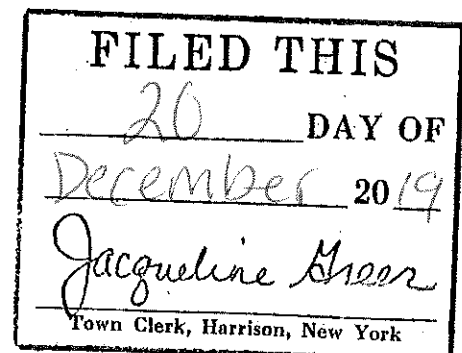
Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

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

Mayor Belmont	VOTING	AYE
Trustee Dionisio	VOTING	AYE
Trustee Gordon	VOTING	NAY
Trustee Malfitano	VOTING	AYE
Trustee Sciliano	VOTING	AYE

The order was thereupon declared duly adopted.

* * * * *



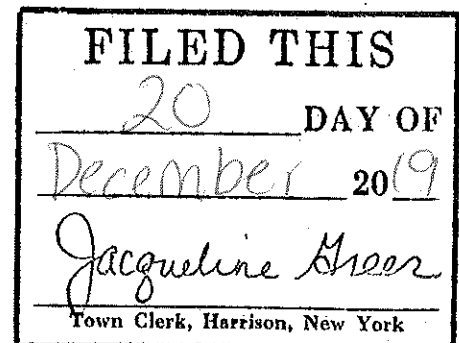
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MATTERS FOR EXECUTIVE SESSION

2 Personnel

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed to Executive Session at 9:11 PM.



December 19, 2019

V- -2019- -141

CONDITIONAL APPOINTMENT OF FRANK DIRENNO TO THE POSITION OF
SANITATION WORKER IN THE DEPARTMENT OF PUBLIC WORKS

On motion of Councilman Sciliano, seconded by Councilman Dionisio,

it was

RESOLVED to make a conditional appointment to Frank DiRenno as a Sanitation Worker in the Department of Public Works, at an annual salary of \$63,835.00 which is 80% of the Teamster Contract for Sanitation Worker, effective January 1, 2020.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Personnel Manager and Commissioner of Public Works.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed 10:40 PM.

Respectfully submitted,
Jacqueline Greer
Town Clerk

