

April 27, 2005

A regular meeting of the Town 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 27th day of April 2005, at 6:00 PM. Eastern Standard Time. All members having received due notice of said meeting.

MEMBERS PRESENT:

Stephen MalfitanoSupervisor

Thomas Scappaticci)Councilmen
Joseph Cannella)
Robert Paladino)
Patrick Vetere)

ALSO ATTENDING

Frank AllegrettiTown Attorney
Fred CastigliaVillage Attorney
Jonathan KrautDeputy Village Attorney
Robert WaspCommissioner of Public Works
David HallChief of Police
James CalandruccioAssessor
Hugh GreechanTown Engineer

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ANNOUNCEMENTS

ARBOR DAY CEREMONIES AND PLANTING TO BE IN HONOR
OF FORMER SUPERVISOR JOHN A. PASSIDOMO

Supervisor Malfitano announced that the 2005 Arbor Day celebration will be held this coming Friday, on April 29th, at 11 AM. He added that each year, the Arbor Day Committee chooses a site, special trees, and an honoree. The Supervisor continued that this year the site chosen overlooks Passidomo Park, adjacent to the 9/11 Memorial, and the planting will honor former Supervisor John A. Passidomo for whom the Park was named. Mr. Passidomo passed away in March of this year. He had been Supervisor of Harrison for 18 years, from January 1966 through May of 1983 when he resigned to accept the appointment as Commissioner of Motor Vehicles for the State of New York..

REQUEST FOR HELP IN IDENTIFYING ROADWAYS, SIDEWALKS
AND CURBS IN NEED OF REPAIR

Supervisor Malfitano stated that the Town is now planning which streets, sidewalks and curbs are to be repaired this summer as part of that on-going process. He asked residents to inform his office, Town Engineer Hugh Greechan, or Commissioner of Public Works Bob Wasp of any adverse conditions in roadways, curbs, sidewalks, storm drains or sewers.

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PROCLAMATION: MUNICIPAL CLERKS' WEEK
May 1st through May 7, 2005

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to proclaim the week of May 1, 2005 through May 7, 2005, as Municipal Clerk's Week, in recognition of the efforts of Harrison's Town/Village Clerk Joan B. Walsh, and in recognition of the importance of the office of the Town Clerk in creating and preserving Town records.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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ACCEPTANCE OF CORRESPONDENCE AND REPORTS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to accept the following report:

Monthly report from the Recreation Department for March 2005.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2005

AUTHORIZATION FOR POLICE CHIEF DAVE HALL TO ATTEND A
POLICE EXECUTIVE SYMPOSIUM FROM JUNE 27 – 29, 2005 COST: \$375

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Police Chief Dave Hall and authorize his attendance at a Police Executive Symposium at the Minnowbrook Conference Center in Blue Mountain Lake, NY., from June 27 through June 29, 2005, at a cost of \$375 for registration, meals and lodging. This is a budgeted item.

FURTHER RESOLVED to forward this Resolution to the Comptroller and the Police Chief.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2005

AUTHORIZATION FOR POLICE CHIEF DAVE HALL TO ATTEND A POLICE ANNUAL TRAINING CONFERENCE IN SARATOGA SPRINGS, JULY 24th – 28, 2005, AT NO COST.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Police Chief Hall and authorize him to attend the New York State Chiefs of Police Annual Training Conference in Saratoga Springs, NY., from July 24 through July 28, 2005, at no cost.

FURTHER RESOLVED to forward this Resolution to the Comptroller and the Police Chief.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2005

TRAFFIC SAFETY CONFERENCE IN COLONIE, N. Y. APRIL 26-27, 2005
COST: NOT TO EXCEED \$200

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Police Chief Hall and authorize him to attend a two-day Law Enforcement Traffic Safety Conference at the Holiday Inn in Colonie, NY., on April 26 and 27, 2005, at a cost not to exceed \$200.00. This is a budgeted item.

FURTHER RESOLVED to forward this Resolution to the Comptroller and the Police Chief.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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AUTHORIZATION FOR DONNA PELLICCI, OFFICE ASSISTANT, AUTOMATED SYSTEMS
IN THE POLICE DEPARTMENT TO ATTEND A

NOTARY PUBLIC TRAINING COURSE ON MAY 19, 2005. COST: \$80

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Police Chief Hall for authorization for Donna Pellicci to attend a one day Notary Public Training course, at BOCES in Yorktown Heights on May 19, 2005, at a cost of \$80.00. This is a budgeted item.

FURTHER RESOLVED to forward this Resolution to the Comptroller and the Police Chief.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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AUTHORIZATION FOR TOWN ENGINEER HUGH GREECHAN TO ATTEND A
PROFESSIONAL DEVELOPMENT SEMINAR, JUNE 2ND - 4TH, 2005,
MONTAUK YACHT CLUB, MONTAUK, NY COST: NOT TO EXCEED \$660

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize Town Engineer Hugh Greechan to attend a Professional Development Seminar from June 2nd through June 4th, at the Montauk Yacht Club in Montauk, NY., at a cost not to exceed \$660, for lodging, meals and the course work involved. Funding is available in the Engineering Department Budget for School, Line Item 001-1440-100-0415.

FURTHER RESOLVED to forward this Resolution to the Comptroller and the Town Engineer.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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APPOINTMENT OF MARIE BAILEY AS AN INTERMEDIATE CLERK,
GRADE III, STEP 1

For budget purposes, Ms. Bailey will be assigned to General Town Services. Her primary assignment

will be the maintenance of the Town's Archives, under the supervision of the Town Clerk.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Town Clerk Joan Walsh and appoint Marie Bailey as an Intermediate Clerk, Grade III, Step I, at the annual salary of \$30,775, effective, April 25, 2005 with a probationary period of six months.

FURTHER RESOLVED to forward this Resolution to the Comptroller, the Town Clerk, Mrs. Bailey and the President of the CSEA.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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APPROVAL OF APPORTIONMENT OF LOT 13 (Po12) AND LOT 14(14-15)
IN BLOCK 523 ON THE 2004 ASSESSMENT ROLL (TAX OF 2005)

Assessor James Calandruccio explained that this apportionment is necessary so that the garage addition that was constructed will comply with the current setbacks for an R-1 District. Since there is not an assessment for the roadbed of Hilltop Place, the assessments will be revised for the 2005 Tentative Assessment Roll. The de-mapped portion of Hilltop Place was conveyed to the owners of Lot 13(Po12) and Lot 14(14-15) by deeds dated October 31, 1914 and June 29, 1916. Assessor Calandruccio continued that his office does not have any record of these deeds and, therefore, the tax map was never amended to reflect the conveyance of Hilltop Place to the owners of the adjoining parcels.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the apportionment of Lots 13(Po12) and 14(14-15), Block 523 on the 2004 Assessment Roll (Tax of 2005).

FURTHER RESOLVED to forward this Resolution to the Comptroller, the Commissioner of Public Works and the Assessor.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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APPROVAL OF A SPECIAL EVENTS PERMIT FOR
THE CHURCH OF ST. GREGORY THE GREAT FOR A
PROCESSION ON MAY 24TH AT 7:30 PM

On motion of Councilman Scappaticci, seconded by Councilman Vetere,

it was

RESOLVED to approve the request of Reverend Msgr. Francis McAree of the Church of St. Gregory the Great for a Special Event Permit for a procession on Tuesday, May 24th at 7:30 PM. A Certificate of Insurance is attached.

FURTHER RESOLVED that the fee be waived.

FURTHER RESOLVED that a police escort be provided to ensure the safety of the marchers, as the procession route is on Halstead Avenue, from West Street to Bishop Dargin Square.

FURTHER RESOLVED to forward this Resolution to the Chief of Police, the Commissioner of Public Works and Msgr. McAree.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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APPROVAL FOR A SPECIAL EVENTS PERMIT FOR
THE CHURCH OF ST. ANTHONY OF PADUA FOR THEIR
FESTA ON JUNE 3, 4, & 5, 2005

Msgr. Eisler included a copy of the route for the procession which will go through the streets of West Harrison in the area to the north of Madison Street with his request for the Special Events Permit.

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Reverend Msgr Rudolph Eisler of the Church of St. Anthony of Padua for a Special Events Permit to hold their Festa on June 3rd, 4th and 5th, 2005, WHICH Festa includes a procession through the streets of West Harrison, beginning at 11:30 AM on June 5th starting at the Church.

FURTHER RESOLVED that the fee be waived, and, as in the past, a sanitation truck is to be stationed on the Festa grounds.

FURTHER RESOLVED to forward this Resolution to the Commissioner of Public Works, the Chief of Police, the West Harrison and Purchase Fire Departments, the Volunteer Ambulance Corps, and Msgr. Eisler.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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TABLED: REQUEST FOR A BUILDING PERMIT ON LOT 4 OF BLOCK 266,
AT 41-43 HOLLAND STREET

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to **table** the request of Attorney Philip Grimaldi on behalf of his client JJA Builders Ltd.

of New York, for approval for a building permit to construct a two-family dwelling on Block 266, Lot 4, at 41-43 Holland Street.

FURTHER RESOLVED to forward this Resolution to the Building Inspector and Mr. Grimaldi.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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CONFIRMATION OF THE APPOINTMENT OF THE MEMBERS
OF THE FINANCIAL ADVISORY COMMITTEE FOR 2005

Raymond Kraus, Chair of the Financial Advisory Committee, notified the Board of his selection of members of the Harrison community to serve on the Financial Advisory Committee. He further stated that the Committee would begin its work soon, preparing for the 2006 Town and Village Budgets.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to confirm the following people as members of the Financial Advisory Committee:

holdover members: Dan Elias, Esq.; Frank LaRusso, CPA; and Raymond Kraus

new members: Nick Prignano, CPA and Andrew Stokoe, CMA.

FURTHER RESOLVED to forward this Resolution to the Comptroller and all other Department Heads.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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AUTHORIZATION THAT CERTAIN LOTS IN THE PARK LANE AREA BE PLACED IN THE
PARK LANE WATER DISTRICT FOR WATER CHARGES FOR 2004 AND FORWARD:
BLOCK 996, LOTS 52, 53, 54, 55, 56 AND 57

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request of Deputy Village Attorney Jonathan Kraut and authorize the placement of six (6) lots in the Park Lane area into the Park Lane Water District for water charges for the year 2004 and forward as follows:

Block 996, LOTS 52, 56 and 57, owned by James Polera
Block 996, Lot 53, owned by Ullerick, Darrin T & Carolyn S., 8 Castlebrook Road
Block 996, Lot 54, owned by Lansdberg, Jonathan P. & Dana M., 12 Castlebrook Road
Block 996, Lot 55, owned by Ganin, John A. & Catalina K., 9 Castlebrook Road

FURTHER RESOLVED that the owners of these Lots be billed accordingly until the District is paid for and the bond retired.

FURTHER RESOLVED that the Comptroller be directed to notify the affected homeowners of this assessment and charges.

FURTHER RESOLVED to forward this Resolution to the Comptroller, the Assessor and the Manager of the Westchester Joint Water Works.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

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RATIFICATION OF THE STIPULATION OF AGREEMENT BETWEEN
THE TOWN OF HARRISON AND THE WESTCHESTER JOINT WATER WORKS
RE: TRANSFERRED EMPLOYEES AND ASSOCIATED ACCRUALS

The Town and the Water Works had agreed to merge Water District #1 into Water District #2, with Water District #2 being a part of the Westchester Joint Water Works, and this took effect on December 31, 2004. No specific Resolution was adopted at that time ratifying the Agreement between the Town and Westchester Joint Water Works regarding this merger. This particular Stipulation will compensate the WJWW for the accrued sick time of the employees who transferred to the Water Works.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to ratify the Stipulation of Agreement between the Town of Harrison and the Westchester Joint Water Works, regarding the compensation to the Water Works of the accrued sick time of those employees who transferred to the Water Works, as follows:

<u>TRANSFEREE</u>	<u>HARRISON</u> <u>WD#1 HOURS</u>	<u>WJWW</u> <u>DAYS</u>	<u>WJWW</u> <u>HOURLY RATE</u>	<u>AMOUNT DUE</u> <u>TO WJWW</u>
Frank Arcara	17.26	2.25	20.5889	\$ 370.60
Matthew Grillo	486	60.75	27.2388	\$13,238.06
Kevin Magee	253	31.5	26.2531	\$ 6,615.78
Maria Schloat	0	0	0	-
TOTAL:				\$20,224.44

STIPULATION OF AGREEMENT

WHEREAS, the Town of Harrison (“the Town”) has heretofore established Water District No. 1 (“the Harrison Water District”); and

WHEREAS, THE Town and the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO (“the CSEA”) are parties to a collective bargaining agreement covering the period January 1, 2004-December 31, 2006 (the HWD Contract”); and

WHEREAS, employees assigned to the Harrison Water District are covered by the terms of the HWD Contract; and

WHEREAS, the Town has determined that it would be in the best interests of the Town to consolidate Harrison Water District No. 1 with Harrison Water District No. 2, thereby incorporating Harrison Water District No. 1 into the Westchester Joint Water Works (“the Water Works”); and

WHEREAS, the consolidation of Harrison Water District No.1 with Harrison Water District No. 2 becomes effective December 31, 2004; and

WHEREAS, the Water Works and the Utility Workers Union of America, AFL-CIO, Local 476 (“the Utility Workers Union”), are parties to collective bargaining agreement covering the period January 1, 2001-December 31, 2005 (“the WJWW Contract”);

NOW, THEREFORE, the Town, the Water Works, the CSEA, the Utility Workers Union, Mr. Matthew Grillo, Mr. Kevin Magee, Mr. Frank Arcara, Jr., and <s. Maria Schloat hereby agree and contract as follows:

1. Effective January 1, 2005, the following individuals (“the Transferees”) shall become employees of the Water Works in the titles and salaries indicated:

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Matthew Grillo	Maintenance Man Grade 1	\$56,657.
Kevin Magee	Maintenance Man Grade 2	\$54,607.
Frank Arcara, Jr.	Laborer	\$42,825.
Maria Schloat	Intermediate Typist	\$47,516.

2. Effective January 1, 2005, subject to the terms hereof, the parties agree that the

Transferees shall cease by the HWD Contract for any and all purposes. Effective January 1, 2005 the Transferees shall be covered by and subject to all of the terms and provisions of the WJWW Contract and all other rules, regulations, practices, policies and procedures of the Water Works, except as otherwise set forth herein.

3. The Town shall pay each of the Transferees for all of their respective unused personal leave, vacation and compensatory time which they accrued as employees of the Town. Such payments shall be made to the respective individuals by no later than January _____, 2005.

4. The Town shall pay to the Water Works the value of each of the Transferees accumulated and unused sick leave days. The calculation of the value of such sick leave shall be based upon the Transferees respective salaries and associated daily rates following their transfer to the Water Works. Such payments shall be made by the Town to the Water Works by no later than _____. Following receipt of such payment, the Water Works shall immediately credit each of the Transferees with respective equivalent number of sick days for use during their employment with the Water Works.

5. The parties agree that, for purpose of their employment at the Water Works, the Transferees' respective date of hire for purpose of seniority shall commence as of January 1, 2005. Notwithstanding the aforementioned, the Transferees shall be given seniority credit for their service in the Harrison Water District immediately preceding their transfer for the following purposes only:

- A. Vacation allowance (Section 6.2);
- B. Sick Leave (Article 7);
- C. Longevity (Section 15.10);
- D. Health Insurance While Employed (Section 15.5):

1. In recognition of their respective sixteen (16) and eighteen (18) years of service to the Town, while employed by the Water Works, the Water Works agrees to treat Mr. Magee and Mr. Grillo as "employees hired prior to January 1, 1984" for purposes of Section 15.5 of the WJWW Contract.

2. In recognition of her nine (9) plus years of service to the Town, Ms. Schloat shall be required to contribute twenty-five (25%) percent of the gross cost to the Water Works for health insurance only until October 16, 2005. While employed by the Water Works thereafter, for purposes of Section 15.5 of the WJWW Contract, the Water Works agrees to treat Ms. Schloat as an employee who was hired after January 1, 1984 but before January 1, 1997 and who has completed her obligation to "make such payments only for the first eight (8) years of employment".

3. In recognition of his one (1) plus year of service to the Town, Mr. Arcara shall be required to contribute twenty-five (25%) percent of the gross cost to the Water Works for health insurance only until February 3, 2013. While employed by the Water Works thereafter, for purposes of Section 15.5 of the WJWW Contract, the Water Works agrees to treat Mr. Arcara as an employee who was hired after January 1, 1984 but before January 1, 1997 and who has completed his obligation to "make such payments only for each of the first eight (8) years of employment".

E. Retiree health insurance (Section 15.9). The parties agree that for purposes of the benefits set forth in Section 15.9, "retirement" shall be construed to mean retirement from the Water Works at age 55 or older.

6. The Transferees hereby agree, jointly and individually, that they shall not, individually or collectively, pursue any grievance, claim, proceeding or action related to the transfer of the Transferees and/or the work they performed in the Harrison Water District against either the Town, the Water Works, the CSEA or the Utility Workers Union.

7. The CSEA hereby agrees that it shall not pursue any grievance, claim, proceeding or action related to the transfer of the Transferees from the Harrison Water District and/or the work they performed in the Harrison Water District against either the Town, the Water Works or the Utility Workers Union.

8. The Utility Workers Union hereby agrees that it shall not pursue any grievance, claim, proceeding or action related to the transfer of the Transferees and/or the work they performed in the Harrison Water District against either the Town, the Water Works or the CSEA.

9. The parties jointly and individually represent and certify by execution of this Stipulation that they have each had a full and fair opportunity to consult with their chosen attorney(s) before signing this Stipulation of Agreement, and that they have each read it carefully and fully understands its contents. The parties also represent and certify that the signing of this Stipulation of Agreement is voluntary and has not been forced or coerced in any way, and that they are each aware that it sets forth the agreement between the parties and that it has final and binding effect on them. The parties also represent and certify that neither the Town, the Water Works, the CSEA, the Utility Workers Union, nor any of their board members, officers, agents, employees, representatives or attorneys made any representations concerning the terms and conditions of this Stipulation of Agreement other than those contained herein. The parties further declare that they have been satisfactorily represented by their chosen attorneys and/or union representatives.

10. The parties jointly and individually acknowledge that they have each reviewed each and every word of this Stipulation to assure complete understanding of its full effect. The parties acknowledge that they have each taken adequate time to do so thoroughly and carefully, and after consultation with their respective representatives and/or attorneys freely chosen for that purpose.

11. The parties jointly and individually acknowledge that their respective choices to waive any potential claims in return for the benefits set forth above was made after careful thought, voluntarily and without coercion. The parties each acknowledge that neither the Town, the Water Works, the CSEA, the Utility Workers Union nor their respective board members, officers, agents, representatives or attorneys made any representations concerning the terms or effects of this Stipulation other than those stated in the Stipulation.

12. The Transferees, collectively and in their individual capacities, freely and unconditionally relinquish and waive all possible claims against the Town, the Water Works, the CSEA, the Utility Workers Union, their respective Boards of Trustees, their respective officers agents, employees, representatives and attorneys, which may have arisen since the date that they were first employed by the Town through the date of their signature on this Stipulation, including, but not limited to all federal, state or local laws or regulations prohibiting discrimination on the basis of sex, age, race, disability, color, creed, national origin, sexual orientation, marital status, pregnancy or any other form of illegal discrimination, and/or all other federal, state or local laws. This waiver also includes any claims for breach of contract, infliction of emotional distress, libel, slander, or any other tort, common law or contract claim, including claims for attorneys' fees, except the Transferees may pursue the litigation to seek to enforce this Stipulation.

13. The Transferees each individually expressly acknowledges that the release and waiver of claims set forth above includes all claims which have arisen since the date that they were each respectively first employed by the Town up to the date of this Stipulation, whether or not such claims have been asserted and whether or not such claims are known to the Transferees at the time of the making of this Stipulation.

14. The CSEA, the Utility Workers Union and the Transferees jointly and individually agree not to file any claim or participate in any lawsuit, proceeding or action for any claim waived in

paragraphs “6”, “7”, “8”, “12” and “13” of this Stipulation or to permit anyone else to do so on their behalf. If such commitment is unenforceable or prohibited by law, then the CSEA, the Utility Workers Union and the Transferees agree not to seek or obtain personal monetary damages or personal equitable relief in such legal proceedings.

15. In this Stipulation, “the Town”, “the Water Works”, “the CSEA”, “the Utility Workers Union”, and “the Transferees” shall also mean any or all of their respective related heirs, successors, assigns, administrators, employees, agents, officers, attorneys, directors, and former and current members of the Board of Trustees.

16. This Stipulation constitutes the entire agreement between the parties hereto and except as provided herein supersedes all prior agreements, memoranda, correspondence, conversations, discussions and/or negotiations held/or which have taken place between the parties.

17. This Stipulation, including this paragraph, may not be altered except by a writing signed by all parties. This Stipulation may not be changed orally.

18. The language of all parts of this Stipulation shall be construed as a whole, according to their fair meaning, and not strictly for or against either party, regardless of who drafted them.

19. The Stipulation shall not become binding or effective until executed by all parties and ratified by the Harrison Board of Trustees and the Water Works Board of Trustees.

Signed by the following:

John G. Hock, Manager, WJWW, 12/14/04;
Stephen Malfitano, Supervisor/Mayor, Town/Village of Harrison, 12/15/04;
Louis N. Santoro, Vice President, Local 476, 12/16/04;
John Devlin, Senior National Representative, Local 476, 12/10/04;
Lisa D. Cagle, CSEA;
Matthew Grillo, 12/15/04;
Kevin Magee, 12/15/04;
Frank Arcara, Jr., 12/15/04;
Maria Schloat, 12/15/04.

FURTHER RESOLVED to forward this Resolution to the Comptroller, the Town Attorneys, and the Manager of the Westchester Joint Water Works.

Adopted by the following vote:

AYES: Councilmen Cannella, Scappaticci, Vetere and Paladino
Supervisor Malfitano

NAYS: None

ABSENT: None

April 27, 2005

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MATTERS FOR EXECUTIVE SESSION

Personnel	3
Acquisition of Real Property	1
Litigation	1
Sale of Real Property	2

On motion duly made and seconded, the Meeting was recessed for Executive Session at 8:20 PM.

The Meeting was reconvened at 10:03 PM.

There being no further matters to come
before the Board, the Meeting was,
on motion duly made and seconded,
declared closed at 10:03 PM.

Respectfully submitted,

Joan B. Walsh
Town Clerk