

May 25, 2006

A regular meeting of the Village Board of the Town of Harrison, Westchester County, New York, was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 25th day of May at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano . . . . . Mayor

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

ALSO ATTENDING

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

May 25, 2006

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APPROVAL TO SCHEDULE A PUBLIC HEARING FOR JUNE 8, 2006  
RE: BOND IN THE AMOUNT OF \$655,000  
RE: WESTCHESTER JOINT WATER WORKS PROJECT #A-1235  
FOR INSTALLATION OF A TWELVE-INCH WATER MAIN  
ON LAKEVIEW AVENUE, WEST HARRISON

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to schedule a Public Hearing regarding approval of a bond in the amount of \$655,000 for the Westchester Joint Water Works Project #A-1235 for the installation of a twelve-inch water main on Lakeview Avenue, West Harrison.

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, Vetere and Paladino Mayor Malfitano
NAYS:	None
ABSENT:	None

May 25, 2006

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APPROVAL TO SCHEDULE A PUBLIC HEARING FOR JUNE 8, 2006  
RE: AUTHORIZATION FOR A BOND IN THE AMOUNT OF \$24,720  
FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE CONSOLIDATED  
WATER DISTRICT FOR PINEHURST DRIVE

Both the water and sewer pipes on Pinehurst Drive are being replaced.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to schedule a Public Hearing for June 8, 2006 regarding authorization for a bond in the amount of \$24,720 for the increase and improvement of facilities of the Consolidated Water District for Pinehurst Drive.

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, Vetere and Paladino  
Mayor Malfitano

NAYS: None

ABSENT: None

May 25, 2006

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APPROVAL OF BOND RESOLUTION IN THE AMOUNT OF \$81,000  
RE: PROJECT HOME RUN PHASE II GEOTECHNICAL INVESTIGATION/GEO DESIGN, INC.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED TO AUTHORIZE THE PREPARATION OF PHASE II GEOTECHNICAL INVESTIGATION OF THE LAND AREA WITHIN THE PROJECT HOME RUN/BROWNFIELDS REMEDIATION AREA IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$81,000 AND AUTHORIZING THE ISSUANCE OF \$81,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED by the 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 preparation of a Phase II geotechnical investigation of the land area within the Project Home Run/Brownfields remediation area in and for the Village of Harrison, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$81,000.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$81,000 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 five years, pursuant to subdivision 62 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer.

Section 6. All other matters except as provided herein relating to the 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 bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with as 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 of said Village hereby designated for such purpose, together with a notice of the Village Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Adopted by the following Roll Call vote:

Trustee Cannella	VOTING	AYE
Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE

May 25, 2006

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APPROVAL OF A BOND RESOLUTION IN THE AMOUNT OF \$168,000  
RE: MTA BUILDING COURTHOUSE FACILITY  
RE: GRANDBERG AND ASSOCIATES FOR ARCHITECTURAL FEES

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED TO AUTHORIZE THE PREPARATION OF PRELIMINARY PLANS AND DESIGNS IN CONNECTION WITH THE PROPOSED COURTHOUSE AND PARKING FACILITY IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$168,000 AND AUTHORIZING THE ISSUANCE OF \$168,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED by the 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 preparation of preliminary plans and designs in connection with the proposed courthouse and parking facility in and for the Village of Harrison, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$168,000.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$168,000 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 five years, pursuant to subdivision 62 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer.

Section 6. All other matters except as provided herein relating to the 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 bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with as 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 of said Village hereby designated for such purpose, together with a notice of the Village Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Adopted by the following Roll Call vote:

Trustee Cannella	VOTING	AYE
Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE

May 25, 2006

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**FAILED: A RESOLUTION AUTHORIZING AN ADDITIONAL \$198,000 BONDS OF  
THE VILLAGE OF HARRISON, TO PAY PART OF THE COST OF  
IMPROVEMENTS TO THE GUAGNINI BRENTWOOD PARK.**

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to authorize an additional \$198,000 in Bonds to pay part of the cost of improvements to the Guagnini Brentwood Park.

The following Roll Call vote was held:

Trustee Cannella	VOTING	AYE
Trustee Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	NAY
Trustee Paladino	VOTING	NAY
Mayor Malfitano	VOTING	AYE

The motion failed three to two.

May 25, 2006

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APPROVAL FOR AN ADDITIONAL \$198,000 IN COSTS  
FOR ADDITIONAL IMPROVEMENTS TO GUAGNINI PARK

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve an additional \$198,000 for costs associated with additional improvements in Guagnini Park, as requested by Commissioner of Public Works Bob Wasp.

FURTHER RESOLVED that funds for these improvements will come from Account #01GB11, (building maintenance and repairs), with the funds being transferred to the town budget, and then allocated to this project.

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

Adopted by the following vote:

AYES: Trustees Cannella and Scappaticci,  
Mayor Malfitano

NAYS: Trustees Paladino and Vetere

ABSENT: None

May 25, 2006

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APPROVAL OF A BOND RESOLUTION TO PAY PART OF THE COST OF THE RENOVATION  
OF THE ATHLETIC FIELDS AT PASSIDOMO PARK IN THE AMOUNT OF \$80,000  
SUBJECT TO A PERMISSIVE REFERENDUM

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED TO AUTHORIZE, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL \$80,000 BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE RENOVATION OF ATHLETIC FIELDS AT PASSIDOMO PARK IN AND FOR SAID VILLAGE.

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, on August 9, 2005, duly adopted a bond resolution authorizing the issuance of \$1,715,000 bonds of said Village to pay the cost of the renovation of athletic fields at Passidomo Park, including turf and facility replacements, original equipment, machinery, equipment and apparatus, including incidental improvements and expenses, in and for said Village of Harrison, Westchester County, New York (the "Village"), and

WHEREAS, it has now been determined that the maximum estimated cost of such capital project is \$2,319,700, an increase of \$80,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$80,000 bonds of said Village for such purpose to pay a portion of the cost thereof; NOW, THEREFORE,

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. For the specific object or purpose of paying additional costs of the renovation of athletic fields at Passidomo Park in and for said the Village of Harrison, Westchester County, New York, including turf and facility replacements, original equipment, machinery, equipment and apparatus, including incidental improvements and expenses, there are hereby authorized to be issued an additional \$80,000 bonds of the Village of Harrison, Westchester County, New York, pursuant to the provisions of the Local finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$2,319,700, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$1,715,000 bonds of said Village heretofore authorized to be issued therefor pursuant to a bond resolution dated August 9, 2005;
- b) By the issuance of an additional \$80,000 bonds of said Village hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, to be issued therefor pursuant to the provisions of the Local Finance Law; and
- c) By the application and expenditure of \$524,700 available current funds.

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 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 full or 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 Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE

Trustee Paladino  
Mayor Malfitano

VOTING  
VOTING

AYE  
AYE

May 25, 2006

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APPROVAL OF A BOND RESOLUTION IN THE AMOUNT OF \$24,720 TO PAY PART

OF THE COST OF THE SEWER AND STORM WATER IMPROVEMENTS FOR  
PINEHURST DRIVE SUBJECT TO A PERMISSIVE REFERENDUM

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED TO AUTHORIZE, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL \$24,720 BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF SEWER AND STORM WATER IMPROVEMENTS IN AND FOR SAID VILLAGE.

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, on September 23, 2004, duly adopted a bond resolution authorizing the issuance of \$684,000 bonds of said Village to pay the cost of sewer and storm water improvements, consisting of the replacement and/or improvements to sanitary sewer lines, replacement of a pump station, storm water improvements, as well as other incidental costs and expenses, in and for said Village of Harrison, Westchester County, New York (the "Village"), and

WHEREAS, it has now been determined that the maximum estimated cost of such capital project is \$708,720, an increase of \$24,720 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$24,720 bonds of said Village for such purpose to pay a portion of the cost thereof; NOW, THEREFORE,

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. For the specific object or purpose of paying additional costs of sewer and storm water improvements in and for said the Village of Harrison, Westchester County, New York, consisting of the replacement and/or improvements to sanitary sewer lines, replacement of a pump station, storm water improvements, as well as other incidental costs and expenses, there are hereby authorized to be issued an additional \$24,720 bonds of the Village of Harrison, Westchester County, New York, pursuant to the provisions of the Local finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$708,720, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$684,000 bonds of said Village heretofore authorized to be issued therefor pursuant to a bond resolution dated September 23, 2004; and
- b) By the issuance of an additional \$24,720 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 object or purpose is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from December 15, 2004, the date of the first obligations issued therefor. 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 full or 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 Scappaticci	VOTING	AYE
Trustee Vetere	VOTING	AYE
Trustee Paladino	VOTING	AYE
Mayor Malfitano	VOTING	AYE

May 25, 2006

AUTHORIZATION TO LOAN THE AMOUNT OF \$150,000  
TO THE HARRISON PARKING AUTHORITY  
ON A DEMAND NOTE FOR THE PURPOSES OF FUNDING  
THE CONTRACT WITH THE ARCHITECTURAL FIRM OF RICHARD BEHR  
RETAINED TO DESIGN THE PARKING GARAGE AND ADJOINING FACILITIES

Supervisor Malfitano stated that (four members of the five Board members of) the Harrison Parking Authority, (whose Board members are the members of the Town Board) met on Friday, May 19, 2006, to discuss the development of the three acre site now owned by the Metropolitan Transportation Agency (MTA), the parent Agency of the Metro North Railroad, along the Halstead Avenue corridor. He continued that the MTA/Metro North has expressed an extreme interest in working with the Town towards an agreement which will ultimately transfer ownership of their property to the Town in exchange for which the Town will agree to construct a 500 car parking structure, along with a promenade-like entrance, high end retail stores, and other possibilities. Mr. Malfitano continued that, as part of the discussions, there has been a meeting of the minds on the balance of the property, and Metro North would see no problem with the Town retaining a significant portion of the 3.1 acre site for some municipal use which could potentially contain not only a Village Green, a Village Square, area but also some other municipal building that might be appropriate at some later date.

Mr. Malfitano continued as follows:

that this is a general overview of the project which essentially is no different than it was a year ago, adding, however, what is different is the extreme willingness by Metro North to move forward. Metro North is requiring that the Town demonstrate the ability to live up to the terms of any Agreement that the Town might enter into. This means that they are looking at not only the Town's ability to build and construct, but more importantly, questioning that there is a financial structure to build a parking structure and other amenities. In addition, they are requiring from the Town a feasibility study for the same. They have asked the Town to produce, as part of the feasibility study, an overall general, very broad site plan, not with specifics but which identifies proposed uses and a rough concept of the square footage that some of the uses that will occupy the site.

Mr. Malfitano further stated as follows:

The Parking Authority met to discuss this issue, adding that the Town has been working with an architectural consultant firm, Richard Henry Behr. Mr. Behr has been a participant over the last 14 years in the three Requests for Proposals (RFP's) that Metro North had circulated for the site, and possesses a tremendous amount of knowledge (of the area,) adding that Mr. Behr has invested close to \$1 million of his own time and effort in conducting studies of the site, and has told us there are some 60 plus previous designs. In addition, Mr. Behr has conducted feasibility studies of the site in the past. The members of the Parking Authority decided that it would be smart to hire him, and agreed to secure his services to conduct this initial review, which will be shared with Metro North, at a cost of \$98,500. The Parking Authority Board approved that expenditure. The members of the Parking Authority Board present that evening, were Board members Tom Scappaticci, Joe Cannella, Pat Vetere, and Steve Malfitano. Board member Bob Paladino was out of town.

Mayor Malfitano further stated that the contract has been approved and signed by him as Mayor and now the Village Board needs to fund that contract. In prior discussions, it had been agreed that the Village would lend the Parking Authority seed money to allow the Parking Authority to commence not only to engage the services of an architectural firm, but also install parking meters in certain (town-owned) parking lots.

Mayor Malfitano further stated that the request this evening is that the Village lend to the Parking Authority some dollar amount, adding that the Law Department is looking into how to structure that loan, its term, and whether or not to charge interest. He added that he would prefer not to charge interest. Trustee Cannella disagreed with that idea, stating that the Authority need not have to pay the interest, but it should accrue.

Mayor Malfitano stated that he was not looking for the actual mechanism at this meeting, but for agreement to lend a certain dollar amount to the Authority, and for a directive to the Treasurer to establish an account for the Parking Authority, which account she will, as a matter of law, administer.

Trustee Paladino questioned why the Treasurer of the Village of Harrison would also be the Treasurer of the Parking Authority.

Mayor Malfitano replied that the Treasurer of the Village of Harrison, due to the way the Parking Authority was established and set up, became the Treasurer of the Parking Authority, and she is called upon to maintain the funds of the Parking Authority.

Trustee Paladino then asked who is the recording secretary of the Authority?

Mayor Malfitano answered that, for the moment, the Chair of the Authority (the Mayor) has been recording the minutes, as the Authority does not have an actual recording secretary per se.

Stating that he was asking because he was not at the Parking Authority meeting, and it was a public meeting, Trustee Paladino asked if recordings were made at the meeting.

Mayor Malfitano replied that notes were taken, but a tape recording was not made.

Trustee Vetere asked why the Town Clerk doesn't take the minutes.

Mayor Malfitano pointed out that the Town Clerk is not required to take the minutes of the Parking Authority, that it is a separate municipal entity.

Town Clerk Joan Walsh stated that she had offered to take the minutes.

Mayor Malfitano closed the discussion by stating that the issue at hand is the funding of the Parking Authority.

Town Attorney Frank Allegretti stated that the funding could be by an outright loan, evidenced by a simple note, by whatever terms the Village Board chooses, with no requirement for interest, or it could be an outright gift. Trustee Vetere pointed out that if it was an outright gift, the village would never get the funds back. Trustee Scappaticci stated that in discussions in the past, it had been suggested that the loan be for half a million dollars.

Trustee Cannella recommended that the Board, at this time, not fund the money to deal with meters, but make a loan of \$150,000. which has some leeway above the contract with Mr. Behr, that the Village make it a demand loan, with interest but no payments. He added that when the Board determines the cost of the meters, then, the Board can make a judgment as to if there should be a term, or leave it a demand loan. He added that he wants interest so that if there is excess cash, the Village can reclaim it.

Mayor Malfitano suggested that perhaps the Board could make it a variable rate of interest, such rate to be determined by the Village Board from time to time.

Trustee Cannella suggested setting the rate now at “prime” as established by the Wall Street Journal. Mayor Malfitano disagreed, stating that it should not be at “prime”, but at the tax-exempt money market rate, using the Lehman Brothers Tax-Exempt Variable Demand Index, now at about 4%. He continued that for the purposes of this meeting, the Board doesn’t need to determine the terms of the loan, that the Law Department can prepare such a document for the next meeting.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to lend \$150,000 to the Parking Authority, with a simple demand note, payable as called, with interest at 4% but without current payments of that interest.

FURTHER RESOLVED that the Law Department will prepare the Demand Note for review and approval by the members of the Village Board.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Treasurer.

Adopted by the following vote:

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

May 25, 2006

AUTHORIZATION FOR THE TREASURER TO CREATE AN ACCOUNT  
FOR THE HARRISON PARKING AUTHORITY

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to direct the Treasurer to create an account for the Harrison Parking Authority, and to fund it with the proceeds of the demand note which has been authorized by the Village Board as the source of the initial funds for the Parking Authority.

FURTHER RESOLVED that the source of funds for this Demand Note will be the Village General Fund.

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

Adopted by the following vote:

AYES: Trustees Cannella, Vetere and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: None

ABSTAIN: Trustee Paladino

May 25, 2006

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MATTERS FOR EXECUTIVE SESSION

Personnel matters -- 1

On motion duly made and seconded,  
the Meeting was recessed for  
Executive Session at 9:30 PM.

On motion duly made and seconded,  
the Meeting was reconvened  
at 11:17 PM.

May 25, 2006

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APPOINTMENT OF STEPHEN DONWORTH  
AS A LABORER IN THE SANITATION DIVISION  
OF THE DEPARTMENT OF PUBLIC WORKS

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to appoint Stephen Donworth to the position of Sanitation Worker in the Sanitation Division of the Department of Public Works, at the annual rate of \$45,765, effective May 30, 2006.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer and the Commissioner of Public Works and Mr. Donworth.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

There being no further matters to come before the Board, the Meeting was declared closed at 11:17 pm.

Respectfully submitted,

Joan B. Walsh  
Village Clerk