

March 9, 2006

A regular meeting of the Village Board of the Village of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on Thursday, March 9, 2006, at 7:30PM. Eastern Standard Time. All members having received due notice.

MEMBERS PRESENT:

Stephen Malfitano Mayor

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

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
Hugh Greechan Village Engineer
Judy D'Agostinis Director of Purchasing

March 9, 2006

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PUBLIC HEARING RE: INCREASE AND IMPROVEMENTS OF THE FACILITIES OF
WATER DISTRICT #2 IN THE VILLAGE OF HARRISON

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

No one spoke for or against the proposal.

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

March 9, 2006

A RESOLUTION AUTHORIZING THE ISSUANCE OF
\$218,000 SERIAL BONDS OF THE VILLAGE OF HARRISON,
WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST
OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES
OF WATER DISTRICT NO. 2 IN THE VILLAGE OF HARRISON,
WESTCHESTER COUNTY, NEW YORK.

On motion of Trustee Cannella, seconded by Trustee Scappaticci.

it was

RESOLVED 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 Water District No. 2 in the Village of Harrison, Westchester County, New York, at an aggregate maximum estimated cost to the Village of \$218,000, 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 Water District No. 2 in the Village of Harrison, Westchester County, New York, consisting of (1) the acquisition and installation of the Rye Lake Auxiliary generator, (2) the Valley Ridge Road water main replacement project, and (3) valve replacements – Pleasant Ridge Road, there are hereby authorized to be issued an aggregate \$218,000 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 \$80,000, \$120,000 and \$18,000, respectively, and that the plan for the financing thereof is by the issuance of the \$218,000 serial bonds of said Village authorized to be issued pursuant to this bond resolution, to be allocated as per their respective maximum estimated costs.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes 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.

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

March 9, 2006

AUTHORIZATION FOR VILLAGE ENGINEER HUGH GREECHAN
TO PREPARE PLANS AND SPECIFICATIONS AND GO OUT TO BID
FOR THE LINCOLN AVENUE REPAIRS AND BANK STABILIZATION PROJECT.

Village Engineer Hugh Greechan stated that this Project was previously approved under VBR-2005-110, and the Treasurer authorized to bond the funds per VBR-2005-60. He added that he is now reviewing the bidding documents and that the roadway is now stable. He further stated that he is working with Con Edison regarding re-imbursement regarding moving the overhead wires, as well as costs associated with disturbance to the ultra-high-pressure gas line owned by Con Edison which is in the work area.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to authorize Village Engineer Hugh Greechan to prepare plans and specifications and to go out to bid for the Lincoln Avenue Roadway Repairs and Bank Stabilization project.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

March 9, 2006

TO THE 2005 ROAD RESURFACING PROJECT ACCOUNT

On motion of Trustee Scappaticci, seconded by Trustee Vetere,

it was

RESOLVED to approve the request of Village Engineer Hugh Greechan that funds in the amount of \$25,000 be transferred from the Department of Public Works Capital Account: "Tri-Centennial Island" (#04 RP 17) to the 2005 Resurfacing Project account (05-HW-06) to pay for curb and drainage work performed by ELQ Industries around the Tri-Centennial Island.

FURTHER RESOLVED that bonding for the Tri-Centennial Island Project in the amount of \$45,000 was authorized under VBR 2004-124, dated September 9, 2004.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

March 9, 2006

APPROVAL FOR AMENDMENT #1 TO THE ENGINEERING SERVICES AGREEMENT
WITH LYNSTAAR ENGINEERING FOR THE CONSTRUCTION PHASE OF THE
PINEHURST DRIVE WATER/SEWER REPLACEMENT PROJECT

Commissioner of Public Works Bob Wasp stated that the replacement of these water and sewer pipes is very complex due to the type of soil that exists. The work requires a substantial number of piles be driven to support the pipes, and therefore field inspection is required for additional hours than in the original Agreement. Mr. Wasp stated that due to the nature of the work and site conditions, full time inspection services were required, as directed by the Town, during the work activity period until work was suspended in late December 2005. He added that, given the labor effort to date and the anticipated full time inspection required for the duration of the job, he is requesting an additional \$48,000 for the amended contract.

Mr. Wasp also stated that the sewer project has been partially funded by the federal government, in the amount of \$1.5 million, which includes the costs of the Oakland Avenue sewer.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for Amendment #1 to the engineering services agreement with Lynstaar Engineering regarding the construction phase services for the Pinehurst Drive water/sewer replacement project, in the amount of an additional \$48,000.

FURTHER RESOLVED that funding in the amount of \$49,440 be bonded (\$48,000+\$1,440 for bonding fees) and the funds be placed in Capital Account #04SD19.

FURTHER RESOLVED to increase the upset limit of the contract by \$48,00, from \$149,000 to \$197,000.

FURTHER REQUESTED that the Law Department be authorized to execute the contract amendment as resolved above.

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

Adopted by the following vote:

AYES: Trustees Cannella, Vetere, Paladino and Scappaticci

Mayor Malfitano

NAYS: None

ABSENT: None

On motion duly made and seconded,
the Meeting was recessed for Executive Session
at 8:50 PM.

The Meeting was reconvened at 11 PM.

On motion duly made and seconded,
the Meeting was declared closed
at 11 PM.

Respectfully submitted,

Joan B. Walsh
Village Clerk