

February 21, 2007

A regular meeting of the Village Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 21st day of February at 7:30PM. Eastern Standard Time. All members having received due notice.

MEMBERS PRESENT:

Stephen Malfitano Mayor
Thomas Scappaticci)Trustees
Patrick Vetere)
Robert Paladino)

MEMBERS ABSENT:

Joseph Cannella Trustee

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
David Hall Chief of Police
Ron Belmont Superintendent of Recreation

February 21, 2007

V -- 2007 -- 27 -- a

PUBLIC HEARING: RE: THE INCREASE AND IMPROVEMENT OF THE
CONSOLIDATED WATER DISTRICT FOR AN ADDITIONAL \$22,000.

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

February 21, 2007

AUTHORIZATION FOR THE INCREASE AND IMPROVEMENT OF
THE CONSOLIDATED WATER DISTRICT.

On motion of Trustee Paladino, seconded by Trustee Scappaticci,

it was

RESOLVED MAKING CERTAIN DETERMINATIONS WITH RESPECT TO A PROPOSED INCREASE IN 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 proceedings heretofore had and taken by the Board of Trustees of the Village of Harrison, Westchester County, New York, pursuant to the provisions of Section 202-b of the Town Law, it has been determined to be in the public interest to provide for a certain increase and improvement of the facilities of Consolidated Water District, at a maximum estimated cost of \$310,720; and

WHEREAS, such increase and improvement of the facilities of Consolidated Water District in said Village consists of the replacement of water lines on Pinehurst Drive, including original furnishings, machinery, equipment, apparatus, appurtenances, as well as installation of valves and hydrants, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, as further described in a map, plan and report by a competent engineer, which is on file in the office of the Village Clerk of such Village where it may be inspected during normal business hours; and

WHEREAS, in order to complete the improvements to the aforesaid facilities, it will be necessary to expend the sum of \$332,720, an increase of \$22,000 over that previously authorized; and

WHEREAS, said Board of Trustees duly called a public hearing on the question of increasing the maximum estimated cost of said increase and improvement of the facilities of said District in the manner described above to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of such public hearing was duly published and posted in the manner and within the time prescribed by Section 202-b of the Town Law, and proof of such publication and posting has been duly presented to said Board of Trustees; 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; and

WHEREAS, said Board of Trustees has duly considered said increased cost; NOW, THEREFORE, BE IT

RESOLVED, 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 increase the maximum estimated cost of the aforesaid increase and improvement of the facilities of said District by \$22,000, from \$310,720 to \$332,720.

Section 2. The Village Engineer, with the assistance of the Village Attorney, is hereby

ordered to prepare definite plans and specifications and to make a careful estimate of the expense in connection therewith and to prepare any additional contracts necessary for the execution of the work.

Section 3. This order shall take effect immediately.

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

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

The resolution was thereupon declared duly adopted.

February 21, 2007

V -- 2007 -- 27 -- c

AUTHORIZATION TO BOND AN ADDITIONAL \$22,000 FOR THE INCREASE AND IMPROVEMENT OF THE CONSOLIDATED WATER DISTRICT

On motion of Trustee Paladino, seconded by Trustee Scappaticci,

it was

RESOLVED TO AUTHORIZE THE ISSUANCE OF \$22,000 SERIAL BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY THE INCREASED COST OF THE INCREASE AND IMPROVEMENT OF THE CONSOLIDATED WATER DISTRICT IN SAID VILLAGE.

WHEREAS, after all proceedings were duly had and taken by the Board of Trustees of the Village of Harrison, Westchester County, New York, pursuant to Section 202-b of the Village Law, said Board of Trustees has found it to be in the public interest to increase the maximum estimated cost of the increase and improvement of the facilities of the Consolidated Water District in said Village (as more fully described in Section 1 hereof) from \$310,720 to \$332,720, constituting an increase of \$22,000; and

WHEREAS, it is now desired to authorize said increased cost and to provide for the financing thereof; NOW, THEREFORE, BE IT

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

Section 1. The increase and improvement of the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the replacement of water lines on Pinehurst Drive, including original furnishings, machinery, equipment, apparatus, appurtenances, as well as installation of valves and hydrants, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a new maximum estimated cost of \$332,720 is now hereby authorized.

Section 2. The plan of financing of said maximum estimated cost is as follows:

- a) By the issuance of the \$310,720 serial bonds of said Village heretofore authorized to be issued pursuant to a previous bond resolution; and
- b) By the issuance of an additional \$22,000 serial bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 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 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. There shall be annually assessed upon all the taxable real property within said Consolidated Water District in the manner provided by law an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Village shall be subject to the levy of ad

valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

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 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 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 power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 8. The Village Treasurer is hereby further authorized, at his sole discretion, to execute a loan agreement, a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation 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 issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Trustees.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- A) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- B) 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 publication, or
- C) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. 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 12. This resolution, which takes effect immediately, shall be published in summary in the *Journal News*, the official newspaper of said Village designated 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.

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

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

The resolution was thereupon declared duly adopted.

AUTHORIZATION FOR 2006 YEAR-END BUDGET TRANSFERS

On motion of Trustee Paladino, seconded by Trustee Scapaticci,

it was

RESOLVED to approve the request of Treasurer Maureen MacKenzie for authorization for the following 2006 year-end Budget Transfers:

Increase	To:	From:
005-9000-100-0810 Village-NYS Retirement	\$30,727	
005-9000-100-0810 Village-NYS Retirement	\$2,095	
Decrease		
005-1420-100-0406 Law-Travel and Conference		\$2,095
005-1210-100-0403 Mayor-Office Supplies		\$190
005-1210-100-0406 Mayor-Travel and Conference		\$142
005-1210-100-0433 Mayor- Membership and Dues		\$95
005-1420-100-0403 Law-Office Supplies		\$95
005-8160-100-0102 Sanitation-Salaries		\$929
005-8160-100-0120 Sanitation-Over time		\$645
005-8160-100-0183 Sanitation-Out of Title		\$2,762
	To	From
005-8160-100-0402 Sanitation-Equipment Mtce & Repairs		\$746
005-8160-100-0406 Sanitation-Travel and Conference		\$33

005-8160-100-0414 Sanitation-Dumping and Refuse			\$19,856
005-8160-100-0423 Sanitation-Uniforms			\$1,715
005-8160-100-0418 Sanitation- Telephone			\$367
005--8160-100-0459 Sanitation-Recycling			\$3,152
	Total	\$32,822	\$32,822

Increase

005-9000-100-0810 Sanitation-NYS Retirement		\$16,074	
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Decrease

005-9501-100-0907 Village-Transfer to Debt Service			\$16,074
	Total	\$16,074	\$16,074

Increase

005-9000-100-0840 Village-Workmen's Compensation		\$25,838	
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Decrease

005-9501-100-0907 Village-Transfer to Debt Service			\$25,838
	Total	\$25,838	\$25,838

	To	From
Increase		
005-9000-100-0840	\$48,071	

Village-Workmen's Compensation

Decrease

005-0000-059-5999			\$48,071
Village-Appropriated Fund Balance			

Total	\$48,071		\$48,071
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Increase

005-9000-100-0845		\$324	
Village-Life Insurance			

005-9000-100-0855		\$993	
Village-Disability			

005-9000-100-0865		\$3,329	
Village-Health Insurance Buyout			

005-9000-100-0875		\$215	
Village-Vision Insurance			

Decrease

005-0000-059-5999			\$4,861
Village-Appropriated Fund Balance			

Total	\$4,861		\$4,861
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To Cover Budget line overages in 2006

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

Adopted by the following vote:

AYES: Trustees Scappaticci, Vetere, Paladino
Mayor Malfitano

NAYS: None

ABSENT: Trustee Cannella

February 21, 2007

V -- 2007 -- 29

APPROVAL FOR PURCHASE ORDER #270613 FOR MISCELLANEOUS ITEMS
FOR POLICE MOTORCYCLES COST: \$13,592

On motion of Trustee Paladino, seconded by Trustee Scapaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for approval of PO #270613 in the amount of \$13,592, for miscellaneous items for the new Police Harley Davidson Motorcycles from T.C.D. Cellular Communications, 420 Mt. Pleasant Ave., Mamaroneck, NY 10543. Funding is available in account #006-3120-100-98-70.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Director of Purchasing and the Chief of Police.

Adopted by the following vote:

AYES: Trustees Scapaticci, Vetere, Paladino
Mayor Malfitano

NAYS: None

ABSENT: Trustee Cannella

February 21, 2007

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AUTHORIZATION FOR AN INCREASE IN THE DEMAND NOTE ISSUED
TO THE HARRISON PARKING AUTHORITY, TO \$200,000

On motion of Trustee Paladino, seconded by Trustee Scapaticci,

it was

RESOLVED to approve the request of Mayor Malfitano for an increase in the Demand Note which was issued by the Village to the Harrison Parking Authority on June 15, 2006, from \$150,000 to \$200,000.

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

Adopted by the following vote:

AYES: Trustees Scapaticci, Vetere, Paladino
Mayor Malfitano

NAYS: None

ABSENT: Trustee Cannella

February 21, 2007

V -- 2007 -- 31 -- a

AUTHORIZATION FOR AMENDMENT #4 TO THE CONTRACT WITH

GRANDBERG & ASSOCIATES FOR WORK ASSOCIATED WITH
THE NEW COURTHOUSE AMOUNT: \$84,865

On motion of Trustee Scappaticci, seconded by Trustee Paladino,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for authorization for Amendment #4 to the contract with Grandberg and Associates, RE: Civil Engineering and Site Design Services for the New Courthouse, at a cost not to \$84,865.

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

Adopted by the following vote:

AYES: Trustees Scappaticci, Vetere, Paladino
 Mayor Malfitano

NAYS: None

ABSENT: Trustee Cannella

February 21, 2007

V -- 2007 -- 31 -- b

AUTHORIZATION TO BOND THE AMOUNT OF \$84,865 FOR AMENDMENT #4
TO THE CONTRACT WITH GRANDBERG & ASSOCIATES

RE: NEW COURT HOUSE AMOUNT: \$84,865

On motion of Trustee Scappaticci, seconded by Trustee Paladino,

it was

RESOLVED to bond the cost of Amendment #4 to the contract with Grandberg and Associates, RE: Civil Engineering and Site Design Services for the New Courthouse, in the amount of \$84,865.

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

Adopted by the following Roll Call vote:

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

On motion duly made and seconded with all members voting in favor, the Meeting was recessed for Executive Session at 8:10 PM.

On motion duly made and seconded, with all members voting in favor, the Meeting was re-convened at 9:50 PM.

There being no further matters to come before the Board, the Meeting was, on motion duly made and seconded, with all members voting in favor, was closed at 9:50 PM.

Respectfully submitted,

Joan B. Walsh
Village Clerk