

February 7, 2008

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 7th day of February at 7:30 PM, Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Mayor

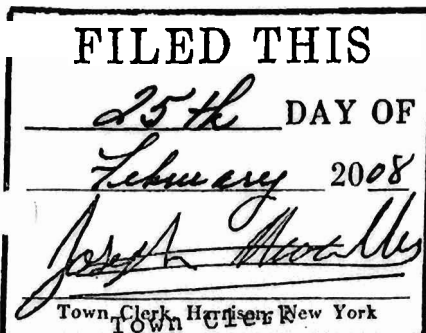
Joseph Cannella)
Patrick Vetere) Trustees
Thomas Scappaticci)
Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney
Jonathan Kraut Deputy Village Attorney
Robert Paladino Village Attorney
David Hall Chief of Police
Maureen MacKenzie Treasurer
Judy D'Agostinis **Director of Purchasing**
Robert Wasp Commissioner of Public Works
James Calandrucchio Assessor
Ron Belmont Superintendent of Recreation

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February 7, 2008

V -- 2008 -- 019

ACCEPTANCE, WITH REGRET, LETTER OF RETIREMENT
FROM SAVERIO FAZZOLARI

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to accept, with regret, the letter of retirement from Saverio Fazzolari, effective March 28, 2008. Mr. Fazzolari worked for many years in the Sanitation Division of the Department of Public Works.

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

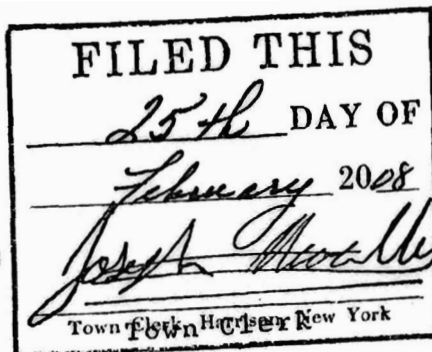
Adopted by the following vote:

AYES: Trustees Cannella, Vetere, Scappaticci and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None

This Resolution was transferred from the Town.



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February 7, 2008

V - - 2008 - - 020

AUTHORIZATION TO CREATE A SCHOOL ZONE ON RED OAK LANE
AND THE SPEED LIMIT BE REDUCED TO 15 M.P.H.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to authorize the request of Chief of Police Dave Hall for approval to create a school zone on Red Oak Lane in the area of the Windward School.

FURTHER RESOLVED to reduce the speed limit to 15 M.P.H., 300 feet east of the School and 300 feet west of the School building between the hours of 0700 and 1800.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police and the Village Attorney.

Adopted by the following vote:

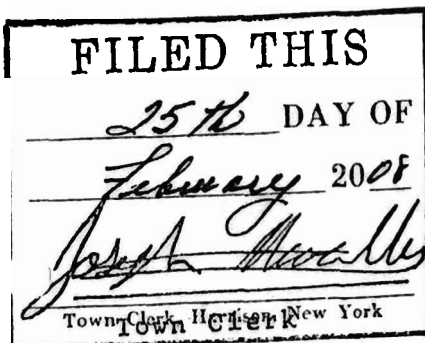
AYES: Trustees Cannella, Vetere, Scappaticci and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None

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 Supvs'r



February 7, 2008

V -- 2008 -- 021

AUTHORIZATION TO CREATE A SCHOOL ZONE ON COLUMBUS AVENUE
BETWEEN HARRISON STREET AND GAINSBORG AVENUE,
AND THE SPEED LIMIT BE REDUCED TO 15 M.P.H.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to authorize the request of Chief of Police Dave Hall for approval to create a school zone on Columbus Avenue between Harrison Street and Gainsborg Avenue, in the area of St. Anthony's School.

FURTHER RESOLVED to reduce the speed limit to 15 M.P.H., between the hours of 0700 and 1800.

FURTHER RESOLVED to forward a copy of this Resolution to the Chief of Police and the Village Attorney.

Adopted by the following vote:

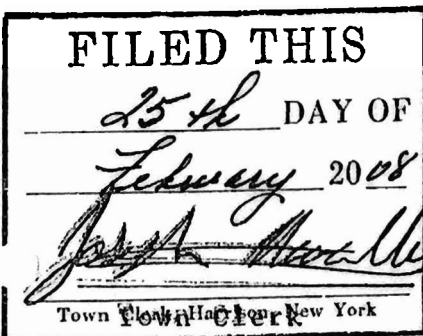
AYES: Trustees Cannella, Vetere, Scappaticci and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None

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February 7, 2008

V -- 2008 -- 022 -- a

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING
\$2,000,000 BONDS TO PAY THE COST
OF CERTAIN JUDGMENTS, COMPROMISED CLAIMS OR SETTLED CLAIMS
RESULTING FROM COURT ORDERS ON PROCEEDINGS BROUGHT PURSUANT TO
ARTICLE 7 OF THE REAL PROPERTY LAW

Mayor Walsh stated she recommends issuing a Bond Anticipation Note (BAN) to pay for the certioraris.

Trustee Scappaticci disagreed with issuing a BAN or BOND to pay for these certiorari's because the taxpayers would get no benefit for it. He went on further to state that it is different to BOND or BAN a capital project because at the end the taxpayers get a return on the investment. In the case of these certioraris, the Board would be Bonding or issuing a BAN and get no return on them for fifteen years which in the long run impacts the taxes for fifteen years. Mr. Scappaticci continued by stating the history of paying certioraris has always been paid by funds in cash reserves and believes the Town should continue this practice.

Treasurer Maureen Mackenzie addressed the Board and stated the history has not always been to take funds from the Fund Balance but the Town has also issued Bonds to pay for certioraris.

Mayor Walsh stated the Town does not have enough money in the Fund Balance.

Trustee Scappaticci stated he was not sure if the Town needed to pay the certioraris all at once but was also not sure if fifteen years was the best option either. He went on to say there are other projects he would like to Bond and did not want to Bond these certioraris.

Trustee Vetere stated that if we do not have any money to pay the certioraris at this time then we would have to Bond them.

Councilman Scappaticci stated there money is available.

Mayor Walsh stated there is very little money available.

Treasurer Mackenzie stated that she had distributed to the Board a summary of what was available in the Fund Balance as of the end of 2006, which was in the area of 3.2 million dollars. Out of that amount \$675,000 is reserved for contingencies such as insurance losses, a major medical problem or an insurance liability claim. As a result of the amount the total fund balance available in 2006 was a little over \$2,525,000. She went on to explain that in 2007 the Town used \$750,000 in the 2007 budget which is still running with medical claims coming in.

The amount currently available in the Fund Balance would leave under \$2million. However, Mrs. Mackenzie added that the Town would be using \$750,000 again in 2008 which would leave the amount left in the Fund Balance below what is needed to pay the certioraris. Mrs. Mackenzie continued to say that with the revenue stream in the budget for 2008, the interests have come down significantly and she is afraid she will not meet the number.

Trustee Cannella asked how much money was available in the Village Fund Balance.

Mrs. Mackenzie stated there was \$500,000 in the end of 2006 and believes that will leave a balance of about under \$300,000 once the year 2007 is closed out. She went on to say if the Board floats a BAN for one year she would be able to put money in the budget for next year and does not believe using the Fund Balance is the right course of action to take.

Trustee Vetere asked Mrs. Mackenzie what her recommendation is.

Mrs. Mackenzie stated she believed issuing a BAN would be her recommendation and not to use the Fund Balance.

Trustee Cannella asked Town Attorney Frank Allegretti if the \$2 million dollar number is enough.

Mr. Allegretti stated it covers what was settled, that had to be paid in January, the settlements that would be approved this evening and with the certioraris that will be settled in the three to six months.

Village Attorney Bob Paladino stated that the previous amount the Board approved was \$581,000 of which \$200,000 is covered in the Contingency Budget.

Trustee Cannella stated, with Mr. Paladino's statement, the Board is only looking at \$300,000 based on what was done.

Treasurer Mackenzie said that with approval this evening for remaining funds it would bring the sum amount available to \$1.3 million in addition.

Trustee Cannella said that as a technical matter he agrees with Mr. Scappaticci, that certioraris should not be paid by issuing a Bond. He went on to say that this is in essence a Bonding, the repayment of a loan, because when you pay certioraris you are paying an amount which you should never had to begin with. As a fiscal matter it is not the best practice. As a practical matter, he stated, it is with great reluctance that he will support issuing a Bond.

Mayor Walsh stated in theory she agreed with Mr. Scappaticci and if the Town had enough money they would take it out of Fund Balance, however, they do not and she is in favor of the Bond.

Trustee Sciliano stated he was in agreement with Mr. Scappaticci and would not support the issuance of the Bond.

On motion of Trustee Vetere, seconded by Mayor Walsh,
it was

RESOLVED to authorize the issuance of a Bond in the amount not to exceed \$2,000,000 for payment of certioraris.

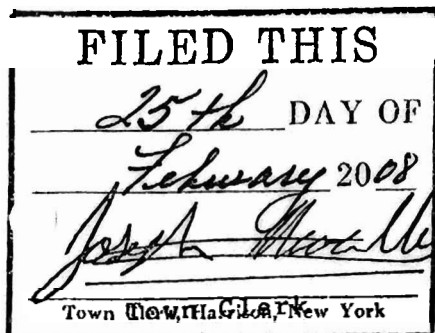
Adopted by the following Roll Call:

AYES: Trustees Vetere and Cannella
Mayor Walsh

NAYS: Trustees Scappaticci and Sciliano

ABSENT: None

The Resolution failed by a vote of 3 to 2 . Four votes are needed for approval to issue bonds.



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-

February 7, 2008

V -- 2008 -- 022 -- b

ADJOURNED TO EXECUTIVE SESSION: A RESOLUTION AUTHORIZING THE
ISSUANCE OF AN AMOUNT NOT TO EXCEED \$2,000,000 IN BONDS
TO PAY THE COST OF CERTAIN JUDGMENTS, COMPROMISED CLAIMS OR
SETTLED CLAIMS RESULTING FROM COURT ORDERS ON PROCEEDINGS
BROUGHT PURSUANT TO ARTICLE 7 OF THE REAL PROPERTY LAW

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to adjourn this matter to executive session.

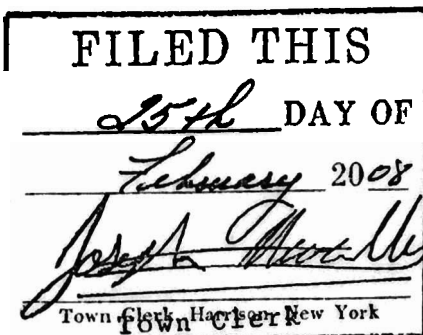
FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer and the Village Attorneys.

Adopted by the following vote:

AYES: Trustees Cannella, Vetere, Scappaticci and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None



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February 7, 2008

V - - 2008 - - 022 - - c

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AMOUNT NOT TO EXCEED \$315,000 IN BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF CERTAIN JUDGMENTS, COMPROMISED CLAIMS OR SETTLED CLAIMS RESULTING FROM COURT ORDERS ON PROCEEDINGS BROUGHT PURSUANT TO ARTICLE 7 OF THE REAL PROPERTY TAX LAW DUE AND PAYABLE IN THE 2008 FISCAL YEAR OF SAID VILLAGE.

On motion of Trustee Vetere, seconded by Trustee Cannella,

it was

RESOLVED to authorize the issuance of not exceeding \$315,000 bonds of the Village of Harrison, Westchester County, New York, to pay the cost of certain judgments compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law and Payable in the 2008 Fiscal Year of said Village.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of settled certain judgments, compromised claims or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property Tax Law due and payable in the 2008-2009 fiscal year of the Village of Harrison, Westchester County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued not exceeding \$315,000 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 class of objects or purposes is \$315,000, and the plan for the financing thereof is by the issuance of not exceeding \$315,000 bonds of said Village herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is at least five years, pursuant to subdivision 33-a of paragraph a of Section 11.00 of the Local Finance Law, based on a real property tax levy for the current fiscal year of said Village of \$32,733,861.

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 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 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:

Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

The provisions of law which should be complied with as of 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

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. This resolution, which takes effect immediately, shall be published in full or a summary thereof 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 substantially in the form provided in Section 81.00 of the Local Finance Law.

RESOLVED to authorize the issuance of a Bond Anticipation Note for Tax Certiorari purposes, in an amount not to exceed \$315,000.

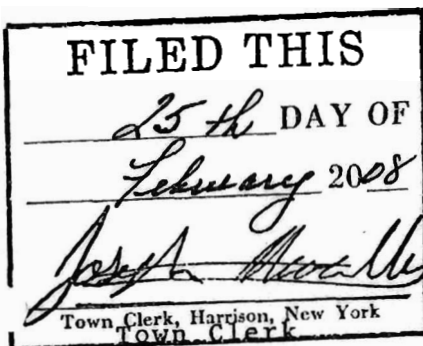
FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer and the Village Attorneys.

Adopted by the following ROLL CALL vote:

AYES: Trustee Cannella, Vetere and Sciliano
Mayor Walsh

NAYS: Trustee Scappaticci

ABSENT: None



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February 7, 2008

V --2008 -- 023

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS
FOR THE MISCELLANEOUS SUPPLIES FOR THE STREET LIGHTING DEPARTMENT

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for authorization to advertise and receive sealed bids for the Miscellaneous Supplies for the Street Lighting Department.

FURTHER RESOLVED that funding is available in the 2007 Capital Improvement Budget.

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

Adopted by the following vote:

AYES: Trustees Cannella, Vetere, Scappaticci and Sciliano
Mayor Walsh

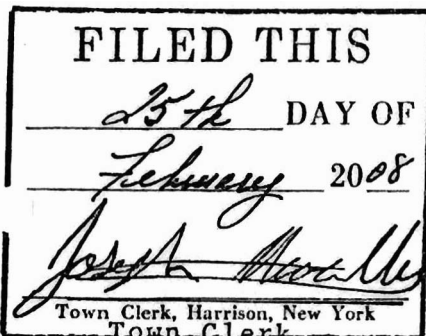
NAYS: None

ABSENT: None

On motion duly made and seconded,
with all members in favor,
the Meeting was recessed to Executive Session at 9:54 PM.

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February 7, 2008

V - - 2008 - - 024

MATTERS FOR EXECUTIVE SESSION:

Personnel 2

On motion duly made and seconded,
with all members in favor,
the Meeting was recessed to Executive Session at 9:38 PM.

On motion duly made and seconded,
with all members voting in favor,
the meeting was re-convened at 12:23 AM on February 8, 2008.

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- Purch'g
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FILED THIS
25th DAY OF
February 2008
Joseph A. M... ..
Town Clerk, Harrison, New York
Town Clerk

February 7, 2008

V - - 2008 - - 025

APPOINTMENT OF THOMAS JOHN HILL AS A SANITATION WORKER IN THE
SANITATION DIVISION OF THE DPW.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to appoint Thomas John Hill as a Sanitation Worker in the Sanitation Division of the Department of Public Works, effective February 8, 2008 at an annual salary of \$49,627. which is 80% of the Teamster Contract for a Sanitation Worker.

FURTHER RESOLVED that this appointment is conditional upon Mr. Hill passing physical, drug and alcohol tests.

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

Adopted by the following vote:

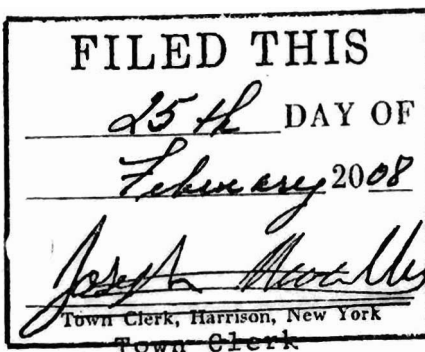
AYES: Trustees Cannella, Vetere, Scappaticci and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None

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February 7, 2008

V -- 2008 -- 026

APPOINTMENT OF A PART-TIME SEASONAL HELPER IN THE
SANITATION DIVISION OF THE DPW.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to appoint a part-time seasonal helper in the Sanitation Division of the Department of Public Works, at a rate of \$11.00 per hour.

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 Cannella, Vetere Scappaticci, Sciliano
Mayor Walsh

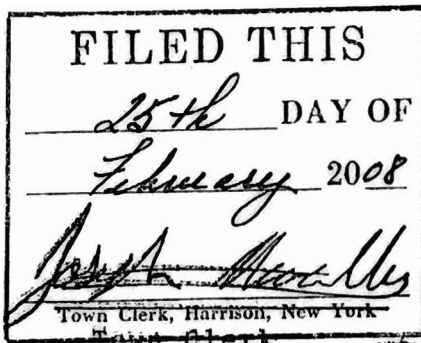
NAYS: None

ABSENT: None

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, declared closed at 12:23 AM on February 8, 2008.

Respectfully submitted,

Joseph Acocella
Village Clerk



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