

December 8, 2005

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 8th day of December 2005, at 7:30 PM. Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano . . . . . Supervisor  
Thomas Scappaticci ) . . . . . Councilmen  
Joseph Cannella )  
Patrick Vetere )

MEMBER ABSENT:

Robert Paladino . . . . . Councilman

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  
Judith D'Agostinis . . . . . Director of Purchasing  
James Calandrucchio . . . . . Assessor

**NOTE:**

**The Village Budget for 2006 was adopted as part of the Town Budget during the Public Hearing on the Town Budget at the Town Board meeting of December 8, 2005**

December 8, 2005

V -- 2005 -- 121

ADOPTION IN THE VILLAGE OF THE VOTING RECORD FROM THE TOWN BOARD  
MEETING OF THIS DATE WITH REFERENCE TO THE INTERCONNECTION OF  
1,850 FEET TO 16-INCH DUCTILE IRON PIPE ON LAKE STREET  
BY THE WESTCHESTER JOINT WATER WORKS.

Mr. Hock informed the Board that he is requesting this one interconnection at this time, but that it is anticipated that a second interconnection may be required at a later date. He added that it will improve service between Harrison Water District #2, part of the WJWW, and the former Harrison Water District #1 which was merged with the WJWW in December of 2004.

Mayor Malfitano stated that the funds for this project have already been borrowed.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of John Hock, Manager of the Westchester Joint Water Works (WJWW) for \$858,000. for an interconnection between the former Water District #1 (WD #1) and the WJWW consisting of the installation of 1,850 feet of 16-inch ductile iron pipe on Lake Street, extending west on Lake Street from the existing WJWW 20-inch main on Purchase Street to an existing 12-inch main on Lake Street opposite the Harrison Water District Lake Street pump station.

FURTHER RESOLVED that funds for this project will come from the Bond already issued for this purpose.

FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, the Commissioner of Public Works, the Town Attorneys, the Manager of the Westchester Joint Water Works and the Village Engineer.

Adopted by the following vote:

AYES: Trustees Vetere, Scappaticci and Cannella  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

V -- 2005 -- 122

AUTHORIZATION FOR PURCHASE ORDER #253995 FOR A FORD PICKUP TRUCK  
FROM JOE COOPER FORD, OKLAHOMA CITY, OKLAHOMA,  
FOR LAW ENFORCEMENT COST: \$26,500

On motion of Trustee Vetere, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis and authorize Purchase Order # 253995 to Joe Cooper Ford, Government Sales, P.O. Box 2262, Oklahoma City, Oklahoma, for a 2006 Ford F-150 Super Cab 4x4 pick-up truck at a cost of \$26,500, under the Westchester County contract.

FURTHER RESOLVED that funding is available in account #006-3120-100-98-75. This is a 2005 budgeted item.

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

Adopted by the following vote:

AYES: Trustees Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

V -- 2005 -- 123

AUTHORIZATION FOR PURCHASE ORDER #253996 FOR EQUIPMENT FOR A FORD  
PICKUP TRUCK (P.O. # 253995) FOR LAW ENFORCEMENT COST: \$7,275

On motion of Trustee Vetere, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for Purchase Order # 253996 for special equipment to be installed by T.C.D. Cellular Communications, 420 Mt. Pleasant Ave., Mamaroneck, NY, as the sole source supplier, in the 2006 Ford F-150 Super Cab 4x4 pick-up truck (P.O. 253995) at a cost of \$7,275 .

FURTHER RESOLVED that funding is available in account #006-3120-100-98-75. This is a 2005 budgeted item.

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

Adopted by the following vote:

AYES: Trustees Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

AUTHORIZATION FOR PURCHASE ORDER #253991 TO JOE COOPER FORD  
OF OKLAHOMA CITY, OKLAHOMA, FOR A 2006 FORD EXPEDITION  
4X4 POLICE VEHICLE FOR LAW ENFORCEMENT COST: \$37,340.

On motion of Trustee Vetere, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for Purchase Order # 253991 to Joe Cooper Ford, Government Sales, P.O. Box 2262, Oklahoma City, Oklahoma, for a 2006 Ford Expedition police vehicle with additional equipment at a cost of \$37,340, under the Yorktown Consortium price schedule.

FURTHER RESOLVED that funding is available in account #006-3120-100-98-75. This is a 2005 budgeted item.

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

Adopted by the following vote:

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

December 8, 2005

AUTHORIZATION FOR PURCHASE ORDER #253994 TO T.C.D. CELLULAR,  
MAMARONECK, NY FOR EQUIPMENT FOR A 2006 FORD EXPEDITION  
4X4 POLICE VEHICLE FOR LAW ENFORCEMENT COST: \$5,295.

On motion of Trustee Vetere, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for Purchase Order # 253994 to T. C. D. Cellular, 420 Mt. Pleasant Ave., Mamaroneck, NY as the sole source supplier for equipment for a 2006 Ford Expedition police vehicle, at a total cost of \$5,295.

FURTHER RESOLVED that funding is available in account #006-3120-100-98-75. This is a 2005 budgeted item.

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

Adopted by the following vote:

AYES: Trustees Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

V -- 2005 -- 126

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR A 2006 CHEVROLET  
AVALANCHE MARKED VEHICLE FOR THE POLICE DEPARTMENT

On motion of Trustee Vetere, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis to advertise and receive bids for a 2006 Chevrolet Avalanche marked vehicle for the Police Department. This is a 2005 budgeted Capital Improvement.

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

Adopted by the following vote:

AYES: Trustees Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

V -- 2005 -- 127

APPROVAL OF PO#253882 FOR A 2006 CHEVY SILVERADO PICK-UP, FOR THE  
GENERAL TOWN BUILDINGS MANAGER IN THE DEPARTMENT OF PUBLIC WORKS,  
AT A TOTAL COST OF \$23,291.18

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for PO#253882 to Hoselton Chevrolet, Inc., 909 Fairport Rd., E. Rochester, NY., for a 2006 Chevy Silverado Pick-up, 6 person cab, 4X4, and associated miscellaneous items for the General Town Buildings Manager in the Department of Public Works, at a total cost of \$23,291.18.

FURTHER RESOLVED that funding will come from Account #006-1620-100-98-75.

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

Adopted by the following vote:

AYES: Trustees Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

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APPROVAL OF PO#253831 FOR A 2006 CHEVY SILVERADO PICK-UP FOR THE GENERAL  
TOWN BUILDINGS FOREMAN IN THE DEPARTMENT OF PUBLIC WORKS  
AT A TOTAL COST OF \$25,282.73.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for PO#253831 to Hoselton Chevrolet, Inc., 909 Fairport Rd., E. Rochester, NY., for a 2006 Chevy Silverado Pick-up 4X4, and associated miscellaneous items for the General Town Buildings Foreman, at a total cost of \$25,282.73.

FURTHER RESOLVED that funding will come from Account #006-1620-100-98-75.

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

Adopted by the following vote:

AYES: Trustees Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

V -- 2005 -- 129

APPROVAL OF CHANGE ORDERS # 1 & 2 WITH THE FIRM OF NAC INDUSTRIES  
FOR THE GLEASON PLACE GARAGE BATHROOM RENOVATIONS,  
AT A TOTAL COST OF \$16,429

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for Change Orders # 1 & 2 with the firm of NAC Industries for the Gleason Place Garage Bathroom renovations, in the total amount of \$16,429 as follows:

#6. Patch concrete slab at rear door (located at new water line trench)	\$2,100.
#5-1. Remove 1 wall hung sink in new bathroom and furnish and install one Fiat Wall Hung "Serv-A-Sink" Laundry Tub (reusing existing faucets)	\$1,150.
#5-2. Furnish and install one Fiat Floor Mounted "Serv-A-Sink" Laundry Tub with extra large handles.	\$1,250.
Funding is available in Capital Account #00GB11 and #04GB18.	
AND Water main service connection as previously approved.	\$11,429.
TOTAL:	\$16,429.

FURTHER RESOLVED that funding will come from Capital Accounts #00GB11 and #04GB18.

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 Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

V -- 2005 -- 130

APPROVAL OF CHANGE ORDER #2 IN THE CONTRACT WITH JP&C CONSTRUCTION  
RE: ADDITIONAL WORK AT THE VETERANS' MEMORIAL BUILDING COST: \$2,550

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for Change Order #2, to the contract with JP&C Construction in the amount of \$2,550, for additional work at the Veterans' Memorial Building as follows:

Stripping of (American Legion Hall) Veterans' Building exterior walls  
Labor \$ 550.00  
Material \$2,000.00

FURTHER RESOLVED that funding will come from Capital Account #00GB11.

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

Adopted by the following vote:

AYES: Trustees Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

December 8, 2005

V -- 2005 -- 131

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY OWNED BY  
IRVING N. CLAREMON IN AND FOR THE VILLAGE OF HARRISON,  
WESTCHESTER COUNTY, NEW YORK FOR RECREATIONAL PURPOSES,  
AT A MAXIMUM ESTIMATED COST OF \$355,000 BONDS OF SAID VILLAGE  
TO PAY THE COST THEREOF.

On motion of Trustee Vetere, seconded by Trustee Cannella,

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. The acquisition of real property owned by Irving N. Claremon, known as Block 161, Lots 21, 22, 23 and 24, in and for the Village of Harrison, Westchester County, New York, for recreational purposes, including incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$355,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost shall be by the issuance of \$355,000 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 thirty years pursuant to subdivision 21 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. To the extent not paid from other legally available revenues, 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 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. This resolution, which, pursuant to subdivision 4 of paragraph a of Section 36.00 of the Local Finance Law, takes effect immediately by virtue of the Stipulation and Order of the Supreme Court, Westchester County, entered into between the Town of Harrison and Irving N. Claremon, shall be published in summary in the official newspaper of said Village, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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 Roll Call vote:

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

A RESOLUTION DELEGATING TO THE VILLAGE TREASURER OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE AND SALE OF UP TO \$3,300,000 REVENUE ANTICIPATION NOTES OF SAID VILLAGE IN ANTICIPATION OF THE RECEIPT OF STATE GRANTS-IN-AID IN CONNECTION WITH THE BEAVER SWAMP BROOK BROWNFIELDS REMEDIATION PROJECT.

Ms. MacKenzie stated that this Note is needed as the anticipated funds for this project from New York State and the federal government have not yet been received but invoices must be paid. Town Attorney Frank Allegretti stated that the State Environmental Facilities Agency will pay the costs of the Note plus the interest. Deputy Village Attorney Joe Latwin added that there has been an agreement with the Agency due to the mismatch between our expenses and the timing of reimbursements, and that part of the delay is that the town must have the deeds for all properties involved in order to get the NYS share, and all deeds have not been recorded.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

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

Section 1: the power to authorize the issuance and sale of up to \$3,300,000 revenue anticipation notes of the village of Harrison, Westchester County, New York, including renewals thereof, in anticipation of the receipt of State grants-in-aid in connection with the beaver Swamp Brook Brownfields Remediation Project, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, forms and contents as may be determined by said Village Treasurer, pursuant to the Local Finance Law.

Section 2: This Resolution shall take effect immediately.

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 Roll Call vote:

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

APPROVAL TO UPGRADE WEAPONS IN THE HARRISON POLICE DEPARTMENT  
AT THE NET AMOUNT OF \$18,088, TO GLOCK, INC, KINGSTON NY.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Police Chief David Hall for an upgrade of weapons for the Police Department, as discussed at the Police Commissioners' meeting on December 7, 2005, in the net amount of \$18,088, to Glock, Inc., Keith McGlinchey-District Manager, 230 Kings Mall Ct. #224, Kingston, NY.

FURTHER RESOLVED that funds are available in the 2004 Capital Account.

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 Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

On motion duly made and seconded with all members voting in favor, the Meeting was recessed for Executive Session at 9:45 PM.

On motion duly made and seconded with all members voting in favor, the Meeting was re-convened at 11:22 PM.

December 8, 2005

APPROVAL TO ADD \$40,000 TO THE 2005 OVERTIME BUDGET  
OF THE DEPARTMENT OF PUBLIC WORKS

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to increase the overtime line in the Department of Public Works, Sanitation Division, in the amount of \$40,000.

FURTHER RESOLVED that funds shall come from the Village Fund.

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 Vetere, Cannella and Scappaticci  
Mayor Malfitano

NAYS: None

ABSENT: Trustee Paladino

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 11??? PM.**

Respectfully submitted,

Joan B. Walsh  
Village Clerk