

April 14, 2005

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 the 14th day of April 2005, at 7:30PM. Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen MalfitanoMayor

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

ALSO ATTENDING:

Frank AllegrettiTown Attorney
Fred CastigliaVillage Attorney
Jonathan KrautDeputy Village Attorney
Joseph LatwinDeputy Village Attorney
Robert WaspCommissioner of Public Works
David HallChief of Police
Ron BelmontSuperintendent of Recreation
Hugh GreechanVillage Engineer
James CalandruccioAssessor

April 14, 2005

V -- 2005 -- 22 --a

PUBLIC HEARING RE: ISSUANCE OF \$467,000 SERIAL BONDS FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF WATER DISTRICT #2, WESTCHESTER JOINT WATER WORKS, RYE LAKE WATER TREATMENT PLANT PROJECT.

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

It was stated that this \$467,000 is the Town's share of the cost of the planning for the construction of the water treatment plant mandated by the State government. It was further stated that although the bonds would be approved now, the Town would not go out to bond until after the funds have been expended (so that the cost would be accurately reflected in the bond.)

Resident Robert Porto addressed the Board regarding his concerns about the technologies that might be used in this water treatment plant, stating that technologies are steadily improving, and that the Board must be vigilant that they "do it right." Supervisor Malfitano stated that the Water Works hopes to perhaps use an ultraviolet technology, which is much less costly to operate. Mr. Porto also stated that according to his research, this plant will cost about \$750,000 per year to operate, processing 20 million gallons of water per day. He also reminded the Board that the Westchester County Airport is adjacent to the reservoir, and that the more development there is in that area, the more costly it will be to filter the water. He added that the town needs a permanent member on the County Airport Advisory Board, and urged the Town to limit development in the watershed area. Mr. Malfitano repeated that the Town is under a Court order to proceed with this task, and therefore has no choice except to do so.

Supervisor Malfitano stated that the total construction cost of the water treatment plant would be perhaps in the area of \$35 million.

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

April 14, 2005

V -- 2005 -- 22 -- b

AUTHORIZATION FOR THE ISSUANCE OF \$467,000. SERIAL BONDS
TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES
OF WATER DISTRICT #2-WESTCHESTER JOINT WATER WORKS,
RYE LAKE WATER TREATMENT PLANT PROJECT

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to authorize the issuance of \$467,000. Serial Bonds to pay the cost of the Increase and Improvement of the Facilities of Water District #2-WJWW, Rye Lake Water Treatment Plant Project.

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

Adopted by the following Roll Call vote:

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

April 14, 2005

BID AWARD TO WJL EQUITIES CORPORATION FOR THE UPGRADES TO THE EXISTING SANITARY SEWER SYSTEM AND WATER LINES ON PINEHURST DRIVE, U.S. ENVIRONMENTAL PROTECTION AGENCY SPECIAL APPROPRIATION PROJECT #XF982760, AT A COST OF \$876,263.

Village Engineer Greechan stated that there was a slight error in the Bid, as one item was entered at a higher cost than was allowed, therefore the Bid Price has been adjusted to \$876,263.

Bonding for this Project was authorized under VBR#2004-132c dated October 14, 2004, and VBR#2004-97 dated June 23, 2004. Upon completion of the work and approval by the EPA, partial funding of fifty-five (55%) percent of the project will be reimbursed to the Village under the EPA Grant referenced in this Resolution. The remaining forty five (45%) percent of the \$876,263 cost will be funded by the Village of Harrison.

On motion of Trustee Paladino, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Director of Purchasing Judy D'Agostinis for a Bid Award to WJL Equities Corp., 157 Fisher Avenue #3, Eastchester, NY., for the upgrades to existing sanitary sewer system and water lines on Pinehurst Drive, as part of the U.S. Environmental Protection Agency Special Appropriation Project #XF982760, at a cost of \$876,263.

FURTHER RESOLVED to authorize the Village Attorney to prepare the contract, and the Mayor to execute it.

FURTHER RESOLVED to authorize the Treasurer upon receipt of claims to audit and upon audit, the Mayor be authorized to pay same.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 14, 2005

TO THE EXISTING SANITARY SEWER SYSTEM AND WATER LINES
ON OSBORN ROAD, SOUTH ROAD, OAKLAND AVENUE AND PARK AVENUE,
U.S. ENVIRONMENTAL PROTECTION AGENCY SPECIAL APPROPRIATION PROJECT
#XF982760, AT A COST OF \$584,855.

Bonding was authorized under VBR#2004-132c dated October 14, 2004 and VBR#2004-97 dated June 23, 2004. Capital Improvement Project #04SD19 has been assigned to this project. Upon completion of the work, and approval by the EPA, partial funding of fifty-five (55%) percent of the project will be reimbursed to the Village under the EPA Grant referenced in the Resolution. The remaining forty five (45%) percent of the \$584,855 cost will be funded by the Village of Harrison.

Village Engineer Hugh Greechan stated that the pipes on South Road are fifteen to eighteen feet below the surface so that section will be relined "in situ" utilizing a process that requires hot water under high pressure to seal the existing pipe. He also said that there might be some funds in the Project Home Run account that could be applied to the repairs on Osborne Road.

On motion of Trustee Paladino, seconded by Trustee Scappaticci,

it was

RESOLVED to award the Bid to WJL Equities Corporation, 157 Fisher Avenue #3, Eastchester, NY., for the upgrades to the existing sanitary sewer system and water lines on Osborn Road, South Road, Oakland Avenue and Park Avenue, under the U.S. Environmental Protection Agency Special Appropriation Project #XF982760, at a cost of \$584,855.

FURTHER RESOLVED to authorize the Village Attorney to prepare the contract, and the Mayor to execute it.

FURTHER RESOLVED authorize the Treasurer, upon receipt of claims, to audit and upon audit, the Mayor be authorized to pay same.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 14, 2005

V -- 2005 -- 25

BID AWARD TO ELQ INDUSTRIES, 531 FAYETTE AVENUE, MAMARONECK, NY., FOR

GUAGNINI PARK IMPROVEMENT PROJECT PHASE II AND PHASE III, AT A BASE BID OF \$1,051,035., WITH AN ADDITIONAL \$95,000. FOR ALTERNATIVE #1 AND ALTERNATIVE #2 FOR THE RENOVATION OF THE REST ROOM, CONCESSION BUILDING AND CONCRETE STAIRS, FOR A TOTAL CONTRACT AMOUNT OF \$1,146,035.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to award the Bid to ELQ Industries, 531 Fayette Avenue, Mamaroneck, NY., for Guagnini Park Improvement Project Phase III, at a base bid of \$1,051,035.

FURTHER RESOLVED to include in the Bid Award an additional \$95,000. for Alternative #1 and Alternative #2, for the renovation of the Rest Room, Concession Building and Concrete Stairs, for a total contract amount of \$1,146,035.

FURTHER RESOLVED to authorize the Treasurer to use monies in the Recreation Subdivision Fund as the funding source for the costs involved with this project.

FURTHER RESOLVED to authorize the Village Attorney to prepare the contract and the Mayor to execute it.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works, the Treasurer, the Village Attorneys, the Superintendent of Recreation, the Director of Purchasing and the Building Inspector.

Adopted by the following vote:

AYES: Trustees Scappaticci, Vetere and Paladino
Mayor Malfitano

NAYS: None

RECUSED: Trustee Cannella

ABSENT: None

April 14, 2005

V -- 2005 -- 26 -- a

AUTHORIZATION TO RETAIN THE FIRM OF LOCKWOOD, KESSLER & BARTLETT FOR AN ASSESSMENT FOR REPAIRS TO THE LINCOLN AVENUE ROADWAY AND STABILIZATION OF A 14" HIGH PRESSURE GAS LINE AS WELL AS THE BANK OF THE

BLIND BROOK
COST: \$30,900

Village Engineer Hugh Greechan explained that the roadway is failing, that the pavement is undercut and unstable. He further stated that about 500 feet of the road will need repair and a retaining wall about fourteen feet high will have to be built adjacent to the roadway along the bank of the Blind Brook, as well as about 300 feet of guide rails.

Mr. Greechan also said that this \$30,900 is just the cost for the initial assessment, that the full cost will be much higher, but that full cost is included in the Capital Budget presented to the Board at this meeting.

Trustee Cannella requested the Law Department get involved, and determine the cost that is to be borne by Con Edison. Trustee Paladino asked if there were funds available for this \$30,900 cost in any other accounts, and was told "No." Trustee Vetere stated that he was opposed to bonding this \$30,900 cost.

On motion of Trustee Paladino, seconded by Trustee Scappaticci,

it was

RESOLVED to retain the firm of Lockwood, Kessler & Bartlett, Inc., to prepare an assessment, including a topographic survey and cost estimate to be used to determine the most effective solution for the repair of that portion of Lincoln Avenue that is on the border of Harrison and Rye Brook, and the stabilization of the fourteen inch (14") high pressure gas line as well as the bank of the Blind Brook.

FURTHER RESOLVED that the Law Department is to determine what portion of this cost and of the full cost of the repairs that should be borne by Con Edison, the owner of the gas line.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

April 14, 2005

AUTHORIZATION TO BOND THE COST OF THE ENGINEERING STUDY TO BE PREPARED
BY THE FIRM OF LOCKWOOD, KESSLER & BARTLETT: \$30,900.

On motion of Trustee Paladino, seconded by Trustee Scappaticci,

it was

RESOLVED to bond the \$30,900 cost of this Study for the repair to the roadway of Lincoln Avenue on the border between Harrison and Rye Brook, said Study to be prepared by the firm of Lockwood, Kessler & Bartlett, Inc.

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

Adopted by the following vote:

AYES: Trustees Cannella, Scappaticci and Paladino
Mayor Malfitano

NAYS: Trustee Vetere

ABSENT: None

April 14, 2005

V - - 2005 -- 27

COMMENTS BY MAYOR MALFITANO REGARDING THE METHODS OF FINANCING

RECREATION PROJECTS.

Mayor Malfitano stated as follows: About a month ago, the members of this Board listened to a presentation by an investment banking firm regarding alternate methods of financing, adding that the Board was specifically interested in looking for additional sources of funding for Recreation projects. We have assets in hand, on deposit in the Recreation (Subdivision) Fund, of about 2.5 million. Other assets that the Town owns, which are restricted, but which if the Town were to sell, the law requires that the proceeds be deposited in the Recreation Fund, and the proceeds used for recreation.

He further stated: The Board, looking at the Recreation projects that it has before it, is certainly interested in establishing pools of capital that will assist us in funding the Recreation projects, with a specific eye towards funding these projects in such a way that we do not have to rely upon tax dollars or the raising of tax dollars to pay for these projects. Obviously with cash deposits, it is very simple, use the cash to pay for the projects, but the cash runs out quickly. So our interest was in devising a program which would combine some level of borrowing, the borrowing would essentially leverage existing assets that we have and recurring revenues that are received on an annual basis and thereby be self-supporting so as not to impact the taxpayer.

Mr. Malfitano continued: As a matter of philosophy, we as a Board believe that some component of our borrowing ought to take place in this reverse method comparable rate market to complement all the other financial instruments that the Town is using. Furthermore, that some level of issuance of debt in this market would be appropriate for Recreation purposes. The Board has agreed that we proceed along these lines and use a combination of cash on deposit, assets that we may sell, and borrowings in an amount not to exceed \$5 million, as that seems to be the level of debt that would essentially be self-supporting. The interest of the Board is in establishing a capital pool of about \$10 million to start. And the Board is in agreement on this direction which is a good thing. We have much more to do in Town, and finding ways to fund projects without relying on the taxpayer is certainly a good thing. This evening (the Board is) going to be asked to consider awarding a bid for the final work on the reconstruction of Guagnini Park, and to decide how to fund it. It will be consistent with what I have described. I am going to recommend that, with regards to this expense, (the Board) use the Recreation Subdivision Fund balance to pay for these improvements.

Mayor Malfitano concluded by stating that the above is the background (of this fiscal approach,) and that if anyone has questions, they are always welcome to call.

April 14, 2005

V - - 2005 -- 28

APPROVAL TO MAKE WOODSIDE AVENUE ONE WAY, NORTHBOUND,
BETWEEN GRANT AND JEFFERSON STREETS

Police Chief Hall stated that he had discussed this change with residents of the area, as well as the officers of the West Harrison Neighborhood Association, and that they were in favor of this change.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to make Woodside Avenue a one-way street, going north, between Grant Street and Jefferson Street.

FURTHER RESOLVED that parking will still be allowed on both sides of the street.

FURTHER RESOLVED that this change shall take effect as soon as the proper signs can be installed.

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

Adopted by the following vote:

AYES: Trustees Cannella, Scappaticci and Paladino
Mayor Malfitano

NAYS: Trustee Vetere

ABSENT: None

April 14, 2005

V - - 2005 -- 29

REQUEST FOR APPROVAL TO SEEK ACCREDITATION
FOR THE POLICE DEPARTMENT
FROM THE NYS DEPARTMENT OF CRIMINAL JUSTICE ORGANIZATION

Police Chief Hall stated that many Police Departments throughout the country have received accreditation from the NYS Department of Criminal Justice in recent years. He asked approval of the Board to seek this status for the Harrison Department. Chief Hall added that he believed that the Department met for the standards for accreditation, but that there was a paperwork process that had to be completed.

He continued that, if the Board approved the idea, then P.O. Robert Schanil would complete the paperwork.

The members of the Board authorized Chief Hall to begin the process for accreditation.

April 14, 2005

V -- 2005 -- 30

APPROVAL TO ESTABLISH THE SPEED LIMIT OF 25 MPH ON OLD LAKE STREET.

Police Chief Hall requested that the speed limit on Old Lake Street be reduced to 25 miles per hour.

This would match the speed on Buckout Road, an adjacent street that feeds into Old Lake Street.

On motion of Trustee Scappaticci, seconded by Trustee Vetere,

it was

RESOLVED to make to reduce the speed on Old Lake Street to 25 miles per hour.

FURTHER RESOLVED that this change shall take effect as soon as the proper signs can be installed.

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

Adopted by the following vote:

AYES: Trustees Cannella, Scappaticci and Paladino
Mayor Malfitano

NAYS: Trustee Vetere

ABSENT: None

April 14, 2005

V -- 2005 -- 31

MATTERS FOR EXECUTIVE SESSION

On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for Executive Session
at 9:35 PM.

The Meeting was reconvened at 1 AM
on April 15, 2005.

Trustee Vetere left the meeting about 12:45 PM.

April 14, 2005

V -- 2005 -- 32

APPOINTMENT OF ERIC DiBUONO 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 Eric DiBuono as a Sanitation Worker in the Sanitation Division of the Department of Public Works, at the salary of \$40,878, which is 80% of the full salary, as per the Teamster contract, for a period of two years.

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

Adopted by the following vote:

AYES: Trustees Cannella and Scappaticci
Mayor Malfitano

NAYS: Trustee Paladino

ABSENT: Trustee Vetere

April 14, 2005

V -- 2005 -- 33

APPOINTMENT OF JOHN MASCIOLA 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 John Masciola as a Sanitation Worker in the Sanitation Division of the Department of Public Works, effective April 18, 2005, at the salary of \$40,878, which is 80% of the full salary, as per the Teamster contract, for a period of two years.

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

Adopted by the following vote:

AYES: Trustees Cannella and Scappaticci
Mayor Malfitano

NAYS: Trustee Paladino

ABSENT: Trustee Vetere

April 14, 2005

V -- 2005 -- 34

APPOINTMENT OF ROBERT CORIGLIANO AS 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 Robert Corigliano as a Sanitation Worker in the Sanitation Division of the Department of Public Works, effective April 18, 2005, at the salary of \$40,878, which is 80% of the full salary, as per the Teamster contract, for a period of two years.

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

Adopted by the following vote:

AYES: Trustees Cannella and Scappaticci
Mayor Malfitano

NAYS: Trustee Paladino

ABSENT: Trustee Vetere

April 14, 2005

V -- 2005 -- 35

APPOINTMENT OF ROBERT BASSO 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 Robert Basso as a Sanitation Worker in the Sanitation Division of the

Department of Public Works, effective April 18, 2005, at the salary of \$40,878, which is 80% of the full salary, as per the Teamster contract, for a period of two years.

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

Adopted by the following vote:

AYES: Trustees Cannella and Scappaticci
Mayor Malfitano

NAYS: Trustee Paladino

ABSENT: Trustee Vetere

There being no further matters to come before the Board,
the Meeting was, on motion duly made and seconded,
declared closed at 1:02 AM. on April 15, 2005.

Respectfully submitted,

Joan B. Walsh, Village Clerk