

April 27, 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 27th day of April 2005, at 6:00PM. Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano Mayor

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

ALSO ATTENDING

Frank Allegretti Town Attorney
Fred Castiglia Village Attorney
Jonathan Kraut Deputy Village Attorney
Robert Wasp Commissioner of Public Works
James Calandruccio Assessor
Hugh Greechan Village Engineer

April 27, 2005

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A RESOLUTION AUTHORIZING THE PURCHASE OF POLICE VEHICLES FOR
THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK AT A
MAXIMUM ESTIMATED COST OF \$300,000 AND AUTHORIZING THE
ISSUANCE OF \$300,000 BONDS OF SAID VILLAGE
TO PAY THE COST THEREOF.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED by the 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 purchase of police vehicles for the Village of Harrison, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$300,000.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$300,000 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 class of objects or purposes is three years, pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law.

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 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 powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer.

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 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 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 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 as 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.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the *Journal News*, the official newspaper of said Village hereby designated for such purpose, together with a notice of the Village Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

FURTHER RESOLVED to forward this Resolution to the Treasurer, the Village Attorneys and the Chief of Police.

Adopted by the following ROLL CALL vote:

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

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AUTHORIZATION TO RESTRICT THE PARKING OF VEHICLES WITH ATTACHED
SNOWPLOWS ON TOWN STREETS FROM APRIL 1ST THROUGH NOVEMBER 1ST.

Chief Hall informed the Board that some residents leave snowplows attached to their vehicles all year, and park them on town streets. He added that this is not only dangerous for children at play, but also takes up valuable parking spaces. He requested a Resolution be adopted to restrict such parking.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Chief of Police Dave Hall and restrict the parking of vehicles with attached snow plows from parking on Town roadways between April 1st and November 1st, and that this Resolution be enforced as a Parking Ordinance.

FURTHER RESOLVED that this Resolution become effective on May 15th.

FURTHER RESOLVED that a copy of this Resolution be forwarded to the Commissioner of Public Works, the Chief of Police, the Chiefs of the downtown, West Harrison and Purchase Fire Departments as well as the President of the West Harrison Neighborhood Association and the Brentwood Neighborhood Association.

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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AUTHORIZATION TO EXTEND THE 2004 STREET RESURFACING CONTRACT WITH
ELQ INDUSTRIES THROUGH THE 2005 SEASON,
WITH THE PRICING TO BE AS AGREED IN THE 2003/2004 CONTRACT.

Commissioner of Public Works Bob Wasp stated that the Town has the right to extend the contract with ELQ for another year, with the agreement of ELQ. He further stated that new bids would be about 25% higher than the present pricing. He added that there were some funds (\$220,000) left from the 2004 road resurfacing contract, as it was not possible to get all the planned work done before cold weather in the Fall/Winter of 2004, and these funds would be applied to the 2005 work.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp to extend the 2004 Street Resurfacing Contract with ELQ Industries through the 2005 season, honoring the prices agreed on in 2003/2004 contracts.

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

Adopted by the following vote:

AYES: Trustees Paladino, Vetere and Scappaticci
Mayor Malfitano

NAYS: None

RECUSED: Trustee Cannella

ABSENT: None

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APPROVAL OF CONTRACT AMENDMENT #1 WITH GRANDBERG AND ASSOCIATES
FOR THE PROPOSED COURT FACILITY AND PARKING FACILITY

Commissioner of Public Works Bob Wasp stated that he is asking the Board to further the design contract that Ira Grandberg of Grandberg and Associates has been working on regarding the change of the former MTA ticket office into the new Town Courthouse. He continued that they had added a couple of elements such as the parking structures that evolved during the design phase, at a further cost of just under \$335,000. Mr. Wasp stated that this amendment incorporates the structural and mechanical services relating to the design, and takes the contract up to the phase for the construction documents needed when the Town is ready to go to bid.

Mayor Malfitano pointed out that there was a cap on costs of 8% of the contract figure, with the mechanical and structural costs at a fixed figure.

Commissioner Wasp stated that the costs in the proposal by Grandberg was \$330,605, and he had rounded it up to \$335,000. He added that this cost is included in the DPW Capital Budget for 2006, although there it had been stated to be \$325,000, so that cost would have to be raised by \$10,000.

In his written request, Mr. Wasp had pointed out that in addition to furthering the design of the Courthouse, two additional structures had been added to the Grandberg assignment: (1) Incorporation of a parking deck between the proposed Court Facility and the Town House, and (2) the addition of an enlarged parking area east of the proposed Court Facility, generally overlaying the existing parking lot.

In his memo, Mr. Wasp had stated that the feasibility of the pedestrian link, surveying, landscape architecture and geotechnical services are not included in this amendment.

Trustee Paladino asked what the pedestrian link was, and Mr. Malfitano stated that it was the enclosed passageway between the present Town House and the new facility.

Mr. Paladino then asked what needed to be surveyed. Mr. Wasp stated that some site survey work would have to be done, and it is outside the scope of the Grandberg firm. He added that he has included \$45,000 in his Capital Budget for the survey and geotechnical work.

Trustee Paladino wanted to be sure that the geotechnical work would include the supports for the parking garages, and was assured that it was so included.

Mr. Paladino then asked how many parking spaces were being added, saying that he could see 20 spaces in one area. He asked for confirmation that there would be space to park cars under the elevated structure, as well as on top, and then asked if there would be access from the parking lot near the Town House from the ramp (to the parking lot to the east of the proposed Court Facility.)

Mayor Malfitano stated that the number of spaces depended on how far the ramp is pulled back, that the range is between 75 and 100 cars although it could exceed 100, adding that there is not any final determination. He added that the two elevated lots would not be connected. (The sketch shows the lot close to the Town house with access from Heineman Place.) There was then a discussion as to

pedestrian access from each elevated lot.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve contract Amendment #1 with Grandberg and Associates for the following steps regarding the proposed Courthouse facility and parking lots:

- (1) redesign of the station structure;
- (2) incorporation of a parking deck between the Town House and the new facility;
- (3) addition of an enlarged parking area east of the proposed Court Facility, generally overlaying the existing parking lot.

with authorization in this Amendment in an amount not to exceed \$345,000.00.

FURTHER RESOLVED that funding for this Amendment is to be provided from the Town/Village Capital Projects Budget (Public Works).

FURTHER RESOLVED that the Village Attorney is authorized to execute Amendment #1 to the contract, increasing the upset limit by \$335,000.00, from \$185,720.00 to \$520,720.00.

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

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

Adopted by the following vote:

AYES: Trustees Cannella, Paladino, Vetere and Scappaticci

NAYS: None

ABSENT: None

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APPROVAL OF THE CAPITAL PLAN FOR THE DEPARTMENT OF PUBLIC WORKS

Mayor Malfitano stated that although the costs for the West Harrison Streetscape are included in the Capital Plan, the capital costs for any Recreation improvements, IE: Passidomo Park and Guagnini Park, are not included. He added that the funding mechanism for Recreation projects was discussed at the last Board meeting.

Trustee Cannella asked how the costs for sidewalk replacement and road resurfacing compare with average funding of the last four or five years, as this 2005 budget seems to have less funds for these projects than in 2004.

Commissioner of Public Works Bob Wasp agreed that the 2005 funding was about half that of the last three years. He added that the Village had done a lot of work during the past few years, and that there was \$220,000 left from the 2004 resurfacing funds which could not be used due to weather conditions but will be used this summer.

Village Engineer Hugh Greechan pointed out that the County had allocated to the Town \$30,000 for drainage, and \$50,000 for sidewalk repair, although it had to be used in certain areas. He continued that he expects the same funding in 2005. He added that he is putting together a contract for \$110,000 for resurfacing in downtown and the West Harrison areas, and the \$80,000 from the County would be additional funds.

Trustee Paladino remarked that with the (leftover funds of) \$220,000 from 2004, and the \$200,000 budgeted for 2005, that seems the right amount for resurfacing.

Mr. Wasp pointed out that there would also be about \$90,000 from NYS under the CHIPS program.

Trustee Paladino questioned the sidewalk budget of \$100,000, plus the \$50,000 expected from County, pointing out that it was a reduction from 2004.

Mayor Malfitano said that the Board had authorized \$300,000 for sidewalk repairs last year, and received another \$50,000 from the County, so the Town had \$350,000 for sidewalk work, and all of it was spent.

Trustee Paladino questioned the costs of \$800,000 listed for the Fire Training Center. He said that, although it is the same Town and the same taxpayers, asking if the Fire Districts shouldn't pay the costs for this Training Center.

Commissioner Wasp replied that the Fire Districts are paying for \$300,000 cost of the building, but the costs in this Budget are for the related work: the infrastructure, the foundation and site development.

The Town does the utilities, the grading, the water lines, the hydrants and the sewer line for the building.

Trustee Cannella asked how much of the work would be done by Town employees.

Mr. Wasp stated that none of it would be done by employees as this is construction. He added that the largest expense is for asphalt: the very long driveway plus around the building and the 100 foot square cut-up area. He said that, in addition, there would be paving around the Fire Department trailers and the Police Department trailers as well as repairs to the present driveway. He also said that an area about 200' by 200' needs to be paved around the Training Center building so that the fire trucks can go around it.

Mayor Malfitano said that the repairs to the Sollazzo Center had not yet been put into the Budget, but the costs will come out of the Capital Budget. He added that there is a Capital fund that has a balance of about \$1 million, and it can be tapped for these repairs.

Trustee Paladino questioned the need to expend funds on the Sollazzo Center, given its age and the physical limitations as to its usefulness, as there is general agreement that what is needed is a new building, although he is not suggesting the building be abandoned.

Mr. Wasp replied that the repairs are needed to protect the integrity of the building -- siding, roofing, and the correction of any structural defects, that he is suggesting only those things that are absolutely necessary.

Mr. Malfitano asked that all the details be presented at the next Village Board meeting.

Mr. Paladino then questioned why the costs for the West Harrison Streetscape is in the Parks section of the Budget, rather than in infrastructure, as it concerns improvements to Lake Street.

Commissioner Wasp agreed that these are major improvements to right-of-way, and it should be transferred to the infrastructure part of the Budget.

Mr. Cannella asked what the Stage Mobile was that is in the Budget. Mr. Wasp informed him that it is a reviewing stand for parades.

Mr. Scappaticci questioned the purchase of defibrillators, noting that it indicates that one will be placed in each building, but asked who will be trained to use them. He was told that there will be a training program.

Mr. Paladino asked if there is a reason for having annual contracts to remove trees in this Capital Budget, why not in the operating budget. He also asked if an arborist is included in the cost.

Mr. Wasp stated that there had been a three-year program that was bonded, but that he can get good pricing under a yearly contract. He added that there is \$35,000 to \$40,000 for an arborist and for supervision of the workers. He further stated that it is impractical to do too much work, as had been done under the \$500,000 contract, without having a great impact on the streetscape.

Mayor Malfitano suggested that the Board think about adding a position in the Department of Public Works for a person who has the expertise to work with the trees.

Mr. Wasp agreed, stating that some of Town's best tree people have moved on to other jobs and there should be someone who is highly trained, as a consultant or on staff. He added that there is liability and the Town needs to think about that.

Commissioner Wasp then asked for an addition to his budget. He stated that, on page 6, under vehicles, the General Town Buildings foreman is listed with a 1997 Dodge truck, with 77,000 miles. He added that an added \$25,000 is needed for a replacement, a straight Chevy pickup, and that the present truck will be used for light duty.

It was agreed that at the next meeting, Commissioner Wasp will present a summary of all the categories in the Capital Budget, with a comparison to the 2004 Budget.

Trustee Paladino questioned the costs for the Park Lane speed sign, listed as \$20,000. He said that when the Board was first talking about it, the cost was about a couple of thousand, and that it has now ballooned. He added that it was first \$5,000, then \$10,000, then \$20,000 and now he hears \$30,000. Mr. Paladino continued that the Board authorized the signs, but no one then believed that it would require this expenditure, that it was a lot of money for signs. He then stated that the need for the warning (signs) was that the County owned very large trailers which are now gone (used for the compost site which has now been relocated), and the accident that occurred with one of those trucks.

Commissioner Wasp said that there are two warning signs, and the costs involved conduit, a road cut as well as an electrician to install the equipment, and that the total cost will be about \$30,000.

After discussion, it was agreed that due to the nature of the road, the signs are still needed. Mr. Wasp stated that he will go back to previous Resolutions to see how much money was authorized for this project.

It was agreed that these signs are part of the Police Department Capital Budget, so it will be discussed at the discussion of that Budget.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the Capital Budget of the Department of Public Works, with the additions and changes as discussed, for a total amount of \$5,175,000.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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TABLED -- Discussion of the Harrison Police Department's Capital Plan.

This discussion was tabled until the Chief of Police could be present.

The Meeting, on motion duly made and seconded, was recessed for Executive Session, although no particular items for discussion were identified, at 9:10 PM.

The Meeting, on motion duly made and seconded, was reconvened at 10:04 PM.

There being no further matters to come before the Board, the Meeting was, on motion duly made and seconded, declared closed at 10:04 PM.

Respectfully submitted,

Joan B. Walsh
Village Clerk