

July 2, 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 2nd day of July at 7:30 PM, Eastern Daylight Savings Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Mayor

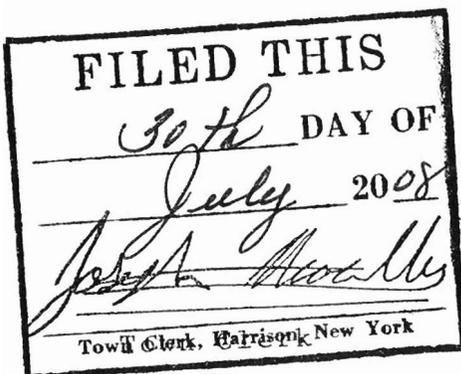
Joseph Cannella)
Patrick Vetere) Trustees
Thomas Scappaticci)
Fred Sciliano)

ALSO ATTENDING:

Frank Allegretti Town Attorney
Robert Paladino Village Attorney
Jonathan Kraut Deputy Village Attorney
Maureen MacKenzie Treasurer
Judy D'Agostinis Director of Purchasing
David Hall Chief of Police
Robert Wasp Acting Village Engineer
David Hall Chief of Police
Bob FitzSimmons Building Inspector
Ron Belmont Superintendent of Recreation
Anthony Marraccini Police Captain
Steve Surace Fire Marshal

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July 2, 2008

V -- 2008 -- 095

ACCEPTANCE, WITH REGRET, OF THE RETIREMENT OF JOHN DiLEO,
HMEO IN THE SANITATION DEPARTMENT OF THE DPW, EFFECTIVE JUNE 19, 2008

Mayor Walsh thanked Mr. DiLeo for his 25 years with the Town.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to accept, with regret, the retirement of John DiLeo, HMEO in the Sanitation Department of the DPW, effective June 19, 2008.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

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FILED THIS

30th DAY OF

July 2008

Town Clerk, Harrison, New York

July 2, 2008

V -- 2008 -- 096

ACCEPTANCE, WITH REGRET, OF THE RESIGNATION OF EDWARD SAJEWICZ,
SANITATION WORKER/BACK-UP DRIVER IN THE SANITATION DEPARTMENT,
EFFECTIVE JUNE 20, 2008

Mayor Walsh thanked Mr. Sajewicz for his work with the Town.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to accept, with regret, the resignation of Edward Sajewicz, Sanitation Worker/
Back-up Driver in the Sanitation Department, in the DPW, effective June 20, 2008.

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

Adopted by the following vote:

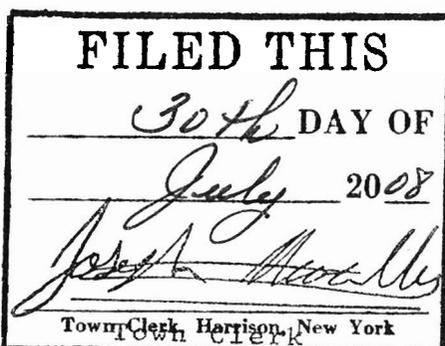
AYES: Trustees Cannella, Vetere, Scappaticci and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

V - - 2008 - - 097

APPROVAL OF PURCHASE ORDER'S #281976, #281979, #281977,
FOR HARDWARE/SOFTWARE FOR THE HARRISON EMS.
COST: \$88,000.

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 for the following:

<u>Purchase Order No.</u>	<u>Amount</u>	<u>Vendor</u>
281976	\$12,172.72	Pair M. Technology, 174 Brady Ave, Suite 104 Hawthorne, NY 10532
281979	\$51,450.00	Zoll Data Systems 12202 Airport Way, Suite 300 Broomfield, CO. 8002
281977	\$23,960.35	ESS, Inc, 250 Clearbrook Rd. Elmsford, NY 10523

FURTHER RESOLVED that funding is available in account 006-1680-100-98-70. The funding was approved at the June 5, 2008 Village Board Meeting, (V-2008-093.)

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

Adopted by the following vote:

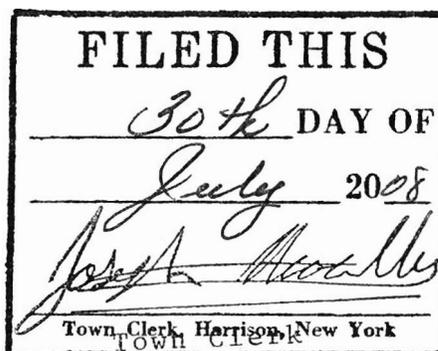
AYES: Trustees Cannella, Scappaticci and Sciliano
Mayor Walsh

NAYS: Trustee Vetere

ABSENT: None

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July 2, 2008

V - - 2008 - - 098

APPROVAL TO SCHEDULE A PUBLIC HEARING FOR AUGUST 7, 2008
RE: THE INCREASE AND IMPROVEMENT FOR SEWER MAINTENANCE
ON OSBORN ROAD, PARK AVENUE, BEVERLY ROAD, NELSON AVENUE,
HIGHLAND ROAD AND FENIMORE DRIVE AND FOR ALTERNATE CURBING AND
SIDEWALK WORK. COST: \$935,086.86 PLUS BONDING COSTS (\$960,000.)

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Treasurer Maureen MacKenzie for authorization to set the date of August 7, 2008 for a Public Hearing.

WHEREAS, improvements are proposed for the Sewer District consisting of the reconstruction of sanitary sewer lines, including alternate curbing and sidewalk along Osborn Road, Park Avenue, Beverly Road, Highland Road and Fenimore Drive, as well as incidental improvements and expenses in connection therewith; and

WHEREAS, the maximum estimated cost of such improvements is \$960,000; and

WHEREAS, the method of financing the cost of said improvements shall be by the issuance of serial bonds of said Village maturing in annual installments over a period not exceeding forty years, such bonds to be payable from assessments levied upon all the taxable real property in the Sewer District, assessed upon the several lots and parcels of land within said District which the Board of Trustees shall determine and specify to be especially benefited by the improvements, in 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; and

WHEREAS, it is now desired to call a public hearing upon the question of the increase and improvement of facilities for Sewer Maintenance in the manner aforesaid pursuant to Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A meeting of the Board of Trustees of the Village of Harrison, Westchester County, New York, shall be held at the Village Hall, in Harrison, New York, in said Village, on the 7th day of August, 2008 at 7:30 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the increased cost of the improvements for Sewer Maintenance District, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Board of Trustees as may be required by law or shall be proper in the premises.

Section 2. The Village Clerk is hereby authorized and directed to cause a copy of the attached Notice of Hearing to be posted on the Village sign board and published in The Journal News, the official newspaper of said Village, not less than 10 nor more than 20 days prior to the date of the public hearing.

Section 3. This order shall take effect immediately.

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

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

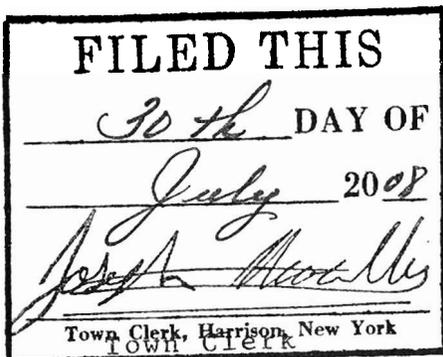
AYES: Trustee Cannella, Scappaticci, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

V - - 2008 - - 099 - - a

AUTHORIZATION FOR THE AMENDMENTS TO THE EXISTING
CONTRACTS WITH DIVERSIFIED TECHNOLOGY CONSULTANTS
RE: PASSIDOMO PARK (PHASE 2B POOL) COST: \$553,600.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Village Engineer Robert Wasp for authorization for the consultant services with Diversified Technology Consultants for construction administration, construction management and site inspection services related to Passidomo Park (Phase 2b Pool), at a cost of \$553,600.

FURTHER RESOLVED to authorize the Village Attorneys to prepare the amendments to the existing contracts for each project site based on these revised costs.

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

Adopted by the following vote:

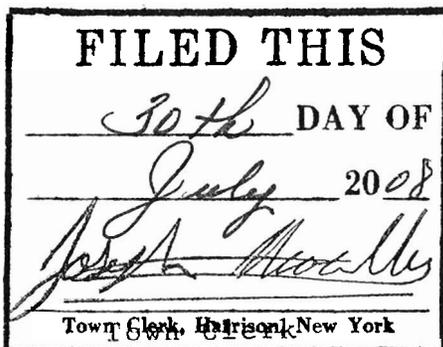
AYES: Trustees Cannella, Scappaticci and Sciliano
Mayor Walsh

NAYS: Trustee Vetere

ABSENT: None

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July 2, 2008

V - - 2008 - - 099 - - b

AUTHORIZATION FOR THE AMENDMENTS TO THE EXISTING
CONTRACTS WITH DIVERSIFIED TECHNOLOGY CONSULTANTS
RE: LAKE STREET STREETScape PROJECT COST: \$.312,000

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of Village Engineer Robert Wasp for authorization for the consultant services with Diversified Technology Consultants for construction administration, construction management and site inspection services related to the Lake Street Streetscape Project, at a cost of \$312,000.

FURTHER RESOLVED to authorize the Village Attorneys to prepare the amendments to the existing contracts for each project site based on these revised costs.

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

Adopted by the following vote:

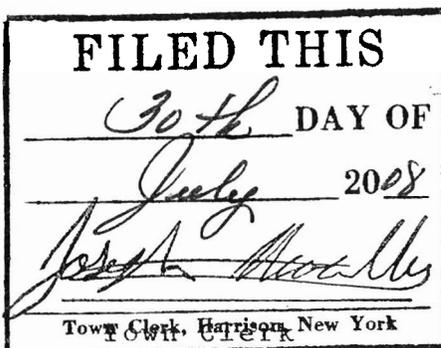
AYES: Trustees Cannella, Scappaticci, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

V - - 2008 - - 100 - - a

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL \$312,000 BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF CONSTRUCTION MANAGEMENT, ADMINISTRATION AND INSPECTION SERVICES FOR THE LAKE STREET STREETScape PROJECT IN AND FOR SAID VILLAGE.

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, on May 15, 2008, duly adopted a bond resolution authorizing the issuance of \$3,520,000 bonds of said Village to pay the cost of various streetscape improvements for Lake Street, in and for the Village of Harrison, Westchester County, New York, including incidental costs and expenses, and

WHEREAS, it has now been determined that the maximum estimated cost of such specific objects or purposes is \$3,832,000, an increase of \$312,000 over that previously authorized to cover construction management, administration and inspection services; and

WHEREAS, it is now desired to authorize the issuance of an additional \$312,000 bonds of said Village to pay such costs thereof; NOW, THEREFORE, 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 object or purpose of paying costs of construction management, administration and inspection services in relation to the Lake Street Streetscape Project, in and for Village of Harrison, Westchester County, New York, including incidental costs and expenses, there are hereby authorized to be issued \$312,000 bonds of the Village of Harrison, Westchester County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such Streetscape Project is now determined to be \$3,832,000, and that the plan for the financing thereof is as follows:

- a) by the issuance of the \$3,520,000 bonds of said Village authorized to be issued pursuant to a bond resolution dated and duly adopted May 15, 2008; and
- b) by the issuance of the additional \$312,000 bonds of said Village authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is fifteen years (\$256,000), pursuant to subdivision 20(c), and forty years (\$56,000), pursuant to subdivisions 4 and 1, of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized shall exceed five years.

Section 4. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations 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 obligations becoming due and payable in such year. To the extent not

paid from other sources, there shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations 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 serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer. 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. 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 7. 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 8. Upon this resolution taking effect, the same shall be published in summary form 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 in substantially the form provided in Section 81.00 of the Local Finance Law.

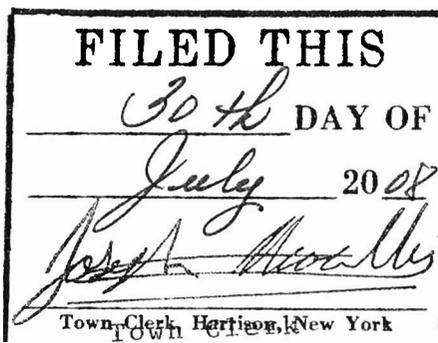
Section 9. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

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

AYES: Trustee Cannella
Trustee Scappaticci
Trustee Sciliano
Mayor Walsh

NAYS: Trustee Vetere

ABSENT: None



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- Supvs'r

July 2, 2008

V - -2008 - - 100 - - b

A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM,
AUTHORIZING THE ISSUANCE OF \$6,091,000 BONDS OF THE VILLAGE
OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY THE
COST OF THE CONSTRUCTION OF A NEW POOL AT PASSIDOMO PARK
IN AND FOR SAID VILLAGE.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW,
THEREFORE;

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

Section 1. For the object or purpose of paying the cost of the construction of a new pool at Passidomo Park, including construction management, administration and inspection services, original furnishings, equipment, machinery, apparatus, appurtenances, site improvements, and incidental improvements and expenses in connection therewith, in and for the Village of Harrison, Westchester County, New York, there are hereby authorized to be issued \$6,091,000 serial bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 61 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized shall exceed five years.

Section 3. 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 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. All other matters except as provided herein relating to the serial 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 6. 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 7. 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 8. Upon this resolution taking effect, the same shall be published in summary form 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 in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 9. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

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

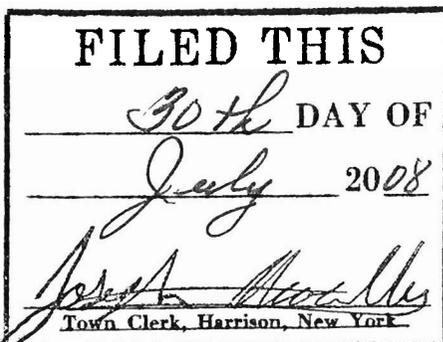
AYES: Trustee Cannella
Trustee Scappaticci
Trustee Sciliano
Mayor Walsh

NAYS: Trustee Vetere

ABSENT: None

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July 2, 2008

V -- 2008 -- 101 -- a

REMARKS FROM ACTING VILLAGE ENGINEER ROBERT WASP
RE: MAIN STREET IMPROVEMENT PROJECT

Acting Village Engineer Robert Wasp addressed the Board and stated this project is about to get underway. Mr. Wasp explained that all of the easements, as well as approval from Westchester County are in place. The roadway will be reshaped to improve on the water run off. Mr. Wasp continued by stating that a meeting was held between the Police Department, Fire Department and the local residents to discuss the proposed configuration of the roadway. Mr. Wasp explained he had two proposals to make to the Board. The first alternative would be to take the existing 24ft wide roadway which is one lane in each direction and add parking in the allowable parking area which on the north side of the street. Residents do not park on the north side of the street where it is allowable but they do park on the Town right of way. The proposal would increase the road from 24ft to 40ft. This proposal would require moving telephone poles, there would be no sidewalks and it would also cut into the right of way on each side of the street. Mr. Wasp stated because the project would require moving telephone poles, the estimated time for completion would increase by four months and cost approximately \$50,000 more. The design would add an additional 50 parking spaces in the roadway. However, Mr. Wasp stated that his office has received feedback from residents who have stated they are concerned with the fact that an additional 50 parking spaces would be added on the street because the Town can not limit who parks in those spaces which could result in non residents parking on the street.

Mr. Wasp stated that the second alternative would be to take the 24ft roadway and add curbs on the south side and no curbs on the north side. There would be no parking on the roadway and a pedestrian sidewalk would be added on the south side of the street.

Councilman Scappaticci stated he would like advice of counsel regarding these options.

On motion of Councilman Scappaticci, seconded by Councilman Cannella,

it was

RESOLVED to move this matter into executive session for advice of counsel.

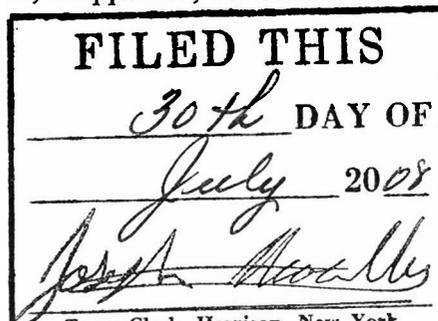
FURTHER RESOLVED to forward a copy of this Resolution to the Village Attorneys and the Village Engineer.

Adopted by the following vote:

AYES: Trustees Cannella, Scappaticci, Vetere and Sciliano
Mayor Walsh
NAYS: None
ABSENT: None

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July 2, 2008

V -- 2008 -- 101 -- b

AUTHORIZATION FOR ACTING VILLAGE ENGINEER ROBERT WASP TO
ADVERTISE FOR THE RESURFACING OF STREETS AND SIDEWALKS

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to authorize Acting Village Engineer Robert to advertise for the resurfacing of streets and sidewalks.

FURTHER RESOLVED to forward a copy of this Resolution to the Acting Village Engineer, the Director of Purchasing and the Village Attorneys.

Adopted by the following vote:

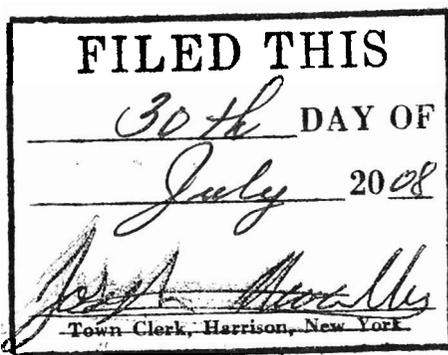
AYES: Trustees Cannella, Scappaticci, Vetere and Sciliano
Mayor Walsh

NAYS: None

ABSENT: None

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July 2, 2008

V - - 2008 - - 102
MATTERS FOR EXECUTIVE SESSION:

Advice of counsel

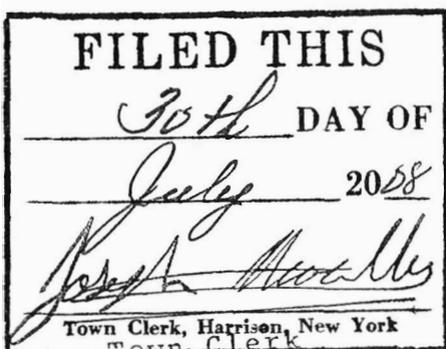
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On motion duly made and seconded,
with all members voting in favor,
the Meeting was recessed for
Executive Session at 10:15 PM.

On motion duly made and seconded,
with all members voting in favor,
the meeting was re-convened at 12:00 AM.

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July 2, 2008

V -- 2008 -- 103

AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS
RE: THE MAIN STREET IMPROVEMENT PROJECT

On motion of Trustee Sciliano, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Village Engineer Robert Wasp for authorization to advertise and receive bids RE: the Main Street Improvement Project.

FURTHER RESOLVED to forward a copy of this Resolution to the Village Engineer, the Director of Purchasing and the Village Attorneys.

Adopted by the following vote:

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

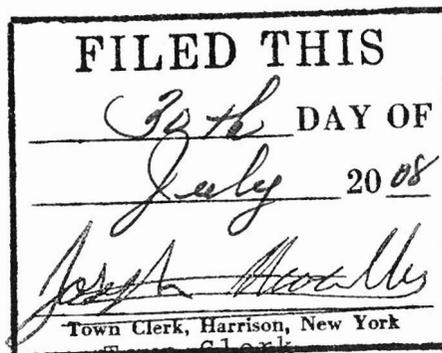
NAYS: None

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 12:02 AM.

Respectfully submitted,

Joseph Acocella
Village Clerk



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