

October 6, 2005

A Special 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 6th day of October 2005, at 6:00PM. 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
Robert WaspCommissioner of Public Works
Hugh GreechanVillage Engineer

REPORT FROM MAYOR MALFITANO ON DECISIONS MADE FOLLOWING THE
REGULAR VILLAGE BOARD MEETING ON SEPTEMBER 15, 2005.

Report will be given at the October 20, 2005 regular Village Board Meeting.

October 6, 2005

V -- 2005 -- 98

APPROVAL OF CHANGE ORDER #1 TO THE CONTRACT WITH ELQ INDUSTRIES
FOR THE JOHN A. PASSIDOMO PARK IMPROVEMENTS/ATHLETIC FIELD RENOVATION,
IN THE AMOUNT OF \$10,500

Village Engineer Hugh Greechan stated that there was a large sandbar in an area adjacent to the field, and they took advantage of the large backhoe that was being used for the field renovation to remove approximately 500 cubic yards of silt and sand from the lake, going 75 feet into the lake, to improve the drainage from the field. Mr. Greechan added that it would not have been possible to do this work after the renovation was completed.

On motion of Trustee Vetere, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Village Engineer Hugh Greechan for Change Order #1 to the contract with ELQ Industries for the John A. Passidomo Park Improvements/Athletic Field Renovation, in the amount of \$10,500, for the unexpected need to remove silt at the drainage outfall in Silver Lake. This work was not included in the Bid Documents. Funding is available in Project #05RP28.

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

Adopted by the following vote:

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

October 6, 2005

V -- 2005 -- 99

AUTHORIZATION TO PREPARE PLANS AND SPECIFICATIONS AND
TO ADVERTISE AND RECEIVE BIDS FOR CDBG PROJECTS FOR SIDEWALK
REHABILITATION AND FOR DRAINAGE SYSTEM IMPROVEMENTS.

On motion of Trustee Paladino, seconded by Trustee Vetere,

it was

RESOLVED to approve the request of Village Engineer Hugh Greechan for authority to prepare plans and specifications, and for the Director of Purchasing to advertise and receive Bids, for work to be done under the Community Development Block Grant for 2005: Project #1: Sidewalk Rehabilitation and Project #2: Drainage System Rehabilitation.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

October 6, 2005

AUTHORIZATION FOR THE PURCHASE OF A STREET SWEEPER, ALREADY INCLUDED IN
THE CAPITAL BUDGET, USING THE BID DOCUMENTS FROM NASSAU COUNTY
AT A COST OF \$183,750.

Commissioner of Public Works stated that the State Comptroller's office had granted Harrison the authority to use the Bid for Nassau County for this street sweeper, which is the same make and model in our Capital Budget. He added that delivery could be within six weeks.

On motion of Trustee Scappaticci, seconded by Mayor Malfitano,

it was

RESOLVED to authorize Commissioner of Public Works Bob Wasp to purchase the street sweeper as described in the Capital Budget, using the Bid for Nassau County, at a cost of \$183,750.

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, Scappaticci, Paladino and Cannella
Mayor Malfitano

NAYS: None

ABSENT: None

October 6, 2005

ACCEPTANCE OF TRANSMITTAL OF REPORT ON REPAIRS TO THE SOLLAZZO CENTER
RE: EXTERIOR REPAIRS AND ROOF REPLACEMENT

Commissioner of Public Works Bob Wasp presented to the Board, for their review and comments, a detailed report prepared by Gary Spilatro, Architect, for the exterior renovation and roof replacement at the Sollazzo Center. Included was a Roof Renovation Survey, prepared by Adelaide Environmental Health Associates, for asbestos containing materials which were found in the chimney flashing, the top and bottom layers of the flat roof, and in the caulking of the cedar shakes.

No action was taken.

October 6, 2005

V -- 2005 -- 102

AUTHORIZATION FOR PHASE I OF AN EVALUATION OF THE SETTLEMENT OF THE

AREA OF THE BEAVER SWAMP BROOK AREA/PROJECT HOME RUN
AT A COST OF \$7,500.

Commissioner of Public Works stated that there is a need for consultant services for the geotechnical work for the Beaver Swamp Brook area, as a result of the presentation by Malcolm Pirnie about a month and a half ago. At that presentation, there were concerns by everyone for more information. Mr. Wasp stated that he had met with Malcolm Pirnie since then, and been provided with additional graphs and calculations relating to the project. Mr. Wasp continued that, at the same time, he thought it would be good to have a second opinion, and he reached out to some consultants in Connecticut, found a very well qualified person, Ted Rosenweig. He brought Mr. Rosenweig in and walked him over the site, with discussions about the concepts and his previous experience with this type of fill. Mr. Wasp added that, following the meeting six weeks ago with Malcolm Pirnie people, some of those people had told him that the firm did not have any experience with this type of fill, which was one of the reasons that he had looked for a second opinion. Mr. Wasp added that following the discussion with Mr. Rosenweig, he himself had a much better understanding of the data. Mr. Wasp then presented to the Board members the outline of the consultant's qualifications and examples of other work that he had done. Mr. Wasp then discussed the data that the Town now has, such as the depth of the fill that had been added. He recommended that the Board retain Mr. Rosenweig for Phase One of the needed evaluation of the site, at a cost of \$7,500.

In response to a question from Mayor Malfitano, Mr. Wasp reviewed a report from Malcom Pirnie officials which stated that building fields on top of the fill might involve additional maintenance of the ball fields, and if it had been detailed, it would have ruled out the artificial turf. He added that some Board members had questioned that statement, but accepted it.

Mayor Malfitano stated that he cannot have confidence in an engineering firm that cannot accurately present data to the Board, and then tells Harrison's Commissioner of Public Works that they lack the experience and expertise to give the Town a qualified opinion. He added that in the professional world, you throw someone like that out.

Mr. Wasp stated that the Town has a great deal of data which can be analyzed by this consultant. He then asked for approval to retain the consultant.

Trustee Vetere asked the Mayor if he hadn't always known there was going to be sinking of this field.

Mr. Malfitano replied that he had known, everyone had known, but no one knows to the extent that it will sink, and now the engineering firm that the Town had hired says they don't have the expertise to evaluate the problem.

Trustee Paladino stated that he had only just been handed the document (of the consultant's qualifications and experience) and so he was not going to vote on the matter, as he did not have the time to read it. He added that, with all due respect, to bring this up at the last minute, (with it) not part of the published agenda, is wrong. Mr. Paladino suggested that the issue be taken up at the next meeting.

Trustees Paladino and Vetere left the meeting at this point.

Mr. Wasp stated that it was due to the fact that the meeting date was changed from October 13th to the present date that he brought the matter to the Board tonight.

Mr. Malfitano then asked Village Engineer Hugh Greechan as well as Commissioner Wasp, as people who work for the Town, not for him, but for everyone in Harrison that, having reviewed this gentleman's qualifications, are they convinced that this is the kind of firm and individual the Town should have reviewing the matter. Mr. Malfitano added that he personally agreed with the idea of having an independent review particularly in light of (the fact) that the consultant who is supposed to be representing us has told us.

Mr. Wasp replied that in light of what the consultant has presented to the Town, and the questions that were raised there, and the contradictions between their old reports and their latest findings, we absolutely need a firm with top, MIT, credentials. He added that this gentleman has these qualifications. In response to a question, Mr. Wasp pointed out the various projects all over the East Coast that this gentleman had been involved in, it is a very specialized type of geotechnical expertise. He added that the firm has given him some very excellent ideas in just a couple of meetings. The firm is asking for all available data, as well as for the Town to do some measurements of the fill on the site, that some of the fill has been there for nine or ten months, which is good as it accelerates any settlement which will occur. The key to see where it is on the curve (of settlement,) and how fast the area will level out.

Trustee Scappaticci pointed out that Phase I will cost \$7,500; is there an estimate for the cost of the other Phases, and is there a timetable?

Mr. Wasp replied that there will be some field money's cost, and it will give much better information. He added it was a window of about 30 days (for the work.) Mr. Wasp also stated that he had planned to bring this matter up at the October 13th Village Board meeting, but wanted to take advantage of this earlier meeting to begin the work than much earlier.

Resident Lucille Held asked why it had not been found that the firm of Malcolm Pirnie had the needed expertise to do this work.

Mr. Wasp replied that there had been some turnover of the key personnel who had been overseeing this project.

On motion of Trustee Scappaticci, seconded by Mayor Malfitano,

it was

RESOLVED to retain the firm of GeoDesign, Inc., P.C. of Middlebury Connecticut, to provide geotechnical consultation for Project Home Run, at a cost for Phase I of \$7,500.

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

Adopted by the following vote.

AYES: Trustees Cannella and Scappaticci
Mayor Malfitano

NAYS: None

ABSENT: Trustees Paladino and Vetere*

Mayor Malfitano then made the following statement:

What troubles him greatly over this whole process is that the consulting firm that the Town hired has provided conflicting information and, at the conclusion of a presentation to the Board, privately shared the view with employees of the Town that they don't have the capacity and experience to deal with the issue that the Town has (regarding this project.) In other words, they can't draw a reasonable conclusion and therefore their range of the numbers and analysis has to be so large so as not to place their firm in a position of jeopardy. He added that this is unconscionable, that it is the kind of thing that we in the public sector should not stand for, and he would not stand for, and what is being done tonight is the right thing to do. Mr. Malfitano continued that they should take a look, a second look, and from there can make some decisions.

There being no further matters to come before the Board, the Meeting was, on motion duly made and seconded, declared closed at 6:45 PM.

Respectfully submitted,

Joan B. Walsh
Village Clerk

* Trustees Paladino and Vetere left the Meeting at 6:35 PM.