

November 9, 2006

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 9th day of November at 7:30 PM, Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Stephen Malfitano Mayor

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

ALSO ATTENDING

Frank Allegretti Town Attorney
Jonathan Kraut Deputy Village Attorney
Fred Castiglia Village Attorney
Robert Wasp Commissioner of Public Works
Maureen MacKenzie Treasurer
David Hall Chief of Police

November 9, 2006

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PRESENTATION OF THE 2007 VILLAGE BUDGET
TO THE VILLAGE BOARD

Village Clerk Joan Walsh presented the 2007 Tentative Budget to the Board members.

November 9, 2006

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AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR THE PURCHASE OF
TWELVE (12) PORTABLE TRUCK SCALES FOR THE POLICE DEPARTMENT

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to authorize Director of Purchasing Judy D'Agostinis to advertise and receive bids for the purchase of twelve (12) Portable Truck Scales for the Harrison Police Department. These are 2006 budgeted Capital Improvement items.

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 Cannella, Paladino, Vetere and Scappaticci
Mayor Malfitano

NAYS: None

ABSENT: None

November 9, 2006

V - - 2006 -- 119 -- a

PUBLIC HEARING RE: THE INCREASE AND IMPROVEMENT
OF THE CONSOLIDATED WATER DISTRICT IN THE AMOUNT OF \$470,000
FOR THE REPLACEMENT OF WATER MAINS ON WHITE PLAINS AVENUE.

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

No one spoke for or against the matter.

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

November 9, 2006

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PUBLIC HEARING RE: THE INCREASE AND IMPROVEMENT
OF THE CONSOLIDATED WATER DISTRICT IN THE AMOUNT OF \$470,000
FOR THE REPLACEMENT OF WATER MAINS ON WHITE PLAINS AVENUE.

On motion of Trustee Scappaticci, seconded by Trustee Paladino,

it was

RESOLVED to approve the Increase and Improvement of the Consolidated Water District in the amount of \$470,000 for the replacement of water mains on White Plains Avenue.

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

Adopted by the following vote:

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

NAYS: None

Absent: None

November 9, 2006

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AUTHORIZATION FOR THE ISSUANCE OF A BOND FOR THE
INCREASE AND IMPROVEMENTS OF THE FACILITIES OF THE

CONSOLIDATED WATER DISTRICT IN THE AMOUNT OF \$470,000

BOND RESOLUTION DATED NOVEMBER 9, 2006

On motion of Trustee Scappaticci, seconded by Trustee Paladino,

it was

RESOLVED TO AUTHORIZE THE ISSUANCE OF \$470,000 SERIAL BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED WATER DISTRICT IN THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 17-1712 of the Village Law and Section 202-b of the Town Law, and more particularly an order of even date herewith, said Board of Trustees has determined it to be in the public interest to increase the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, at a maximum estimated cost to the Village of \$470,000, plus bonding costs; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the installation of replacement water mains on White Plains Avenue, there are hereby authorized to be issued \$470,000 serial bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$470,000, and that the plan for the financing thereof is by the issuance of the \$470,000 serial 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 specific objects or purposes is forty years, pursuant to subdivision 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 will exceed five years.

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 serial 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 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.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto shall be determined by the Village Treasurer.

Section 7. The Village Treasurer is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

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 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 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. The bond resolution adopted on June 22, 2006 is hereby amended to delete reference therein to White Plains Avenue.

Section 11. This resolution which takes effect immediately shall be published in summary form in *The Journal News*, the official newspaper, 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, the Village Attorneys and the Commissioner of Public Works.

Adopted by the following roll call vote:

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

The motion carried 5-0.

November 9, 2006

V - - 2006 -- 120 -- a

AUTHORIZATION FOR THE ISSUANCE OF A BOND IN THE AMOUNT OF \$327,000
FOR PREPARATION OF PLANS FOR THE CAPITAL PROJECT:
OUTDOOR POOL COMPLEX

BOND RESOLUTION DATED NOVEMBER 9, 2006

Trustee Vetere again stated his opposition.

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED TO AUTHORIZE THE PREPARATION OF PLANS FOR CAPITAL PROJECTS IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK AT A TOTAL MAXIMUM ESTIMATED COST OF \$397,000 AND AUTHORIZING THE ISSUANCE OF \$397,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT 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 preparation of final design and bid documents for the outdoor pool complex (\$327,000)** and the modification to designs for the parking garage, including connecting tunnel, as well as generator designs for the courthouse (\$70,000) in and for the Village of Harrison, Westchester County, New York, are hereby authorized at an aggregate maximum estimated cost of \$397,000.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$397,000 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 objects or purposes is five years pursuant to subdivision 62 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 a copy of this Resolution to the Treasurer, the Director of Purchasing, the Village Attorneys and the Commissioner of Public Works.

Adopted by the following roll call vote:

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

The motion carried 4-1.

November 9, 2006

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AUTHORIZATON FOR THE ISSUANCE OF BOND: MODIFICATIONS TO DESIGNS FOR THE
PARKING GARAGE, INCLUDING CONNECTING TUNNEL, AND DESIGNS FOR THE
GENERATORS FOR THE NEW COURTHOUSE AT A COST OF \$70,000

BOND RESOLUTION DATED NOVEMBER 9, 2006

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED TO AUTHORIZE THE PREPARATION OF PLANS FOR CAPITAL PROJECTS IN AND FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK AT A TOTAL MAXIMUM ESTIMATED COST OF \$397,000 AND AUTHORIZING THE ISSUANCE OF \$397,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT 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 preparation of final design and bid documents for the outdoor pool complex (\$327,000) and **the modification to designs for the parking garage, including connecting tunnel, as well as generator designs for the courthouse (\$70,000)** in and for the Village of Harrison, Westchester County, New York, are hereby authorized at an aggregate maximum estimated cost of \$397,000.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$397,000 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 objects or purposes is five years pursuant to subdivision 62 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 a copy of this Resolution to the Treasurer, the Director of Purchasing, the Village Attorneys and the Commissioner of Public Works.

Adopted by the following roll call vote:

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

The motion carried 5-0.

November 9, 2006

AUTHORIZATON FOR THE ISSUANCE OF A BOND FOR THE PURCHASE OF
PICKUP TRUCKS AND APPARATUS
AT A TOTAL MAXIMUM COST OF \$53,560

BOND RESOLUTION DATED NOVEMBER 9, 2006.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED TO AUTHORIZE THE PURCHASE OF PICKUP TRUCKS AND APPARATUS FOR THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK AT A MAXIMUM ESTIMATED COST OF \$53,560 AND AUTHORIZING THE ISSUANCE OF \$53,560 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT 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 pickup trucks and apparatus for the Village of Harrison, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$53,560.

Section 2. The plan for the financing of such maximum estimated cost consists of the issuance of \$53,560 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 five years, pursuant to subdivision 28 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 a copy of this Resolution to the Treasurer, the Director of Purchasing, the Village Attorneys and the Commissioner of Public Works.

Adopted by the following roll call vote:

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

The motion carried 5-0.

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APPROVAL OF PURCHASE ORDER # 263642 FOR LAW ENFORCEMENT

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of the Director of Purchasing for approval for P.O. #263642 for Law Enforcement, at a total cost of \$13,122, with funding to come from Account #006-3120-100-98-70. This is a 2006 Budgeted Capital Improvement.

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 Cannella, Paladino, Vetere and Scappaticci
Mayor Malfitano

NAYS: None

ABSENT: None

November 9, 2006

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APPROVAL OF PURCHASE ORDER #263675 FOR LAW ENFORCEMENT
FOR A MOTOROLA RADIO SET UP, AT A TOTAL COST OF \$13,813.28

On motion of Trustee Scappaticci, seconded by Trustee Cannella,

it was

RESOLVED to approve the request of the Director of Purchasing for approval for P.O. #263675 for Law Enforcement, for a Motorola radio set-up, at a total cost of \$13,813.28, with funding to come from Account #006-3120-100-98-70. This is a 2006 budgeted Capital Improvement.

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 Cannella, Paladino, Vetere and Scappaticci
Mayor Malfitano

NAYS: None

ABSENT: None

November 9, 2006

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AUTHORIZATION FOR AMENDMENT #1 TO THE CONTRACT WITH THE FIRM OF
CALI BROTHERS FOR ADDITONAL WORK RE: RENOVATIONS OF THE
WEST HARRISON LIBRARY, IN AN AMOUNT NOT TO EXCEED \$36,000.

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There was considerable discussion regarding these repairs, and the firm that has undertaken them. Commissioner Wasp stated that there had been difficulties getting shop drawings from them. He added that the firm had a deadline of 30 days to complete the work.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for authorization for Amendment #1 to the contract with Cali Brothers for the following additional work related to the renovation of the West Harrison Library, in an amount not to exceed \$36,000.

1. Additional slate roof installation, including underlayment, and roof repair of 570 square feet. This additional work is needed to repair a portion of the roof that was rotted and not identified until after the roof repair work had begun. \$22,675.
2. Installation of a copper reglet and copper flashing above the front door to cover a large open gap. \$ 1,800.
3. Replacement of additional brickwork in three separate areas, namely
 - a. 62 square feet between the chimney and the base of the half round window. \$6,800.
 - b. 75 square feet from the base of the half round window to the head of the emergency egress door. \$4,800.
 - c. 58 square feet from between the head of the emergency egress door to just below the slope of the roof. \$2,800.

This additional brickwork was needed due to interior bond loss between the brick layers resulting from settlement.

FURTHER RESOLVED that the two (2) capital accounts (#01GB11 and the 2007 approved DPW Capital Budget) with funds available for this amendment be transferred to Capital Account #04GB18.

FURTHER RESOLVED that the Law Department is authorized to execute this Amendment to the contract and to increase the upset limit of the contract by \$36,000, from \$131,427 to \$167,427.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

November 9, 2006

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APPROVAL OF CHANGE ORDERS #1,2, AND 3, TO THE CONTRACT WITH WJL EQUITIES
IN THE AMOUNT OF \$274,545.29 FOR ADDITONAL COSTS TO THE UPGRADES TO
THEEXISTING SANITARY SEWER SYSTEMS AND WATER LINES ON PINEHURST DRIVE

Active Village Engineer Bob Wasp explained that regarding Change Order #3, there had been an emergency condition involving a major water main break on a line in the Westchester Joint Water

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Work's system and major reconstruction was required. He continued that this contractor, under the direction of WJWW staff, repaired the break, and repaired the valves involved. Mr. Wasp added that this work will be billed to the Water Works. Mr. Wasp continued that these Change Orders will increase the Contract Amount with WJL Equities by \$274,545.29, for a revised Contract Amount of \$1,150,808.20 but that upon completion of the work and approval by the EPA, partial funding of 55% of the Project will be reimbursed to the Village, with the remaining 45% to be funded by the Village.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of by Acting Village Engineer Bob Wasp for approval for Change Orders #1, 2 and 3 and Additional Costs to the Upgrades to the Existing Sanitary Sewer System and Water Lines on Pinehurst Drive. U.S.E.P.A. Special Appropriation Project No. XF982760, as follows:

- a. Change Order #1 - \$89,959.35, represents work performed over the Line Item Amounts as outlined in the Contract.
- b. Change Order #2 – (Contractor Change Orders 1-8) \$115,942., covers extra work performed including the installation of additional sewer laterals, milling, restoration, asbestos pipe removal, drainage and basins.
- c. Change Order #3 - \$68,643.33, installation of a new water main at the intersection of Brae Burn and Pinehurst Drive.

FURTHER RESOLVED to increase the Contract Amount with WJL Equities by \$274,545.29, for a revised Contract Amount of \$1,150,808.20, with the understanding that upon completion of the work and approval by the EPA, partial funding of 55% of the Project will be reimbursed, with the remaining 45% to be funded by the Village.

FURTHER RESOLVED to bond the additional funding for Change Orders #1-#3, in the amount of \$22,000.

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

Adopted by the following vote:

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

NAYS: None

ABSENT: None

November 9, 2006

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AUTHORIZATION FOR THE CONTRACT WITH THE WESTCHESTER URBAN COUNTY
COMMUNITY DEVELOPMENT FOR REPLACEMENT OF SIDEWALKS
IN THE AMOUNT OF \$75,000

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to enter into a contract with the County of Westchester for funding under the US Department of Housing and Urban Development Act of 1974, in the amount of \$75,000, for replacement of sidewalks, with the Village to provide matching funds in the amount of \$75,000.

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 Cannella, Paladino, Vetere and Scappaticci
Mayor Malfitano

NAYS: None

ABSENT: None

November 9, 2006

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AUTHORIZATION TO PURCHASE TWO PICK-UP TRUCKS
AT A COMBINED COST OF \$46,399.40
FOR THE SANITATION AND HIGHWAY DEPARTMENTS

Commissioner of Public Works Bob Wasp explained that due to factory build-out dates and availability of equipment, if these trucks are not purchased at this time, they would not be available until early spring or late summer of 2007.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to approve the request of Commissioner of Public Works Bob Wasp for authorization for purchase order approval for the purchase of two (2) 2007 Chevrolet Silverado 2500 4X4 pick-up trucks from Hoselton Chevrolet of East Rochester, NY, at the state contract prices of \$22,408.20 for the 2007 Chevrolet Silverado 2500 4X4 with Extended Cab and Short Box for Sanitation and \$23,991.20 for a 2007 Chevrolet Silverado 2500 4X4 with Regular Cab and Long Box for Highway.

FURTHER RESOLVED that funding will come from the DPW Capital Fund.

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 Cannella, Paladino, Vetere and Scappaticci
Mayor Malfitano

NAYS: None

ABSENT: None

November 9, 2006

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AUTHORIZATION FOR ADDITIONAL FUNDING FOR GEO-TECHNICAL WORK
FOR A POSSIBLE WALKWAY BETWEEN THE MUNICIPAL BUILDING
AND THE PROPOSED COURTHOUSE

Commissioner of Public Works Bob Wasp stated that the Board had authorized some work to be undertaken for this project. At this time, additional funding is needed in the amount of \$8,500, for soil borings on the slope between street level and parking lot level to determine if rock is there, and for a geotechnical engineer to be on site to analyze the samples. He added that it costs \$2,000 just to bring in the machine for the borings.

Trustee Paladino questioned the need for any design work before the borings are taken.

Mr. Wasp stated that a first-cut drawing is needed to determine what areas will be used. He added that they will be digging around the foundations of the old MTA building to determine the subsurface there also.

Mr. Paladino said that he was reluctant to spend more money on a walkway that may not be built. He added that if he had known that this \$8,500 would be needed, he would not have voted for the original \$35,000 for the initial drawings for the walkway. He added that if that \$35,000 has been spent without any soil samples (on which to base the design) and then, after the soil samples come back, a redesign is needed, he will be very unhappy.

Trustee Cannella asked if Mr. Paladino wanted the walkway project to stop.

Mr. Paladino replied that if he had known the cost was going to go to \$45,000, he probably wouldn't have voted for the original \$35,000, adding that he knows that at some time the Board is going to be asked for even more money – and he will vote “NO” on that request.

On motion of Trustee Cannella, seconded by Trustee Scappaticci,

it was

RESOLVED to authorize an additional \$8,500 to cover the costs of soil borings on the site of the proposed walkway between the Municipal Building and the proposed Courthouse.

FURTHER RESOLVED that funding is to come from Fund Balance.

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 Cannella, Paladino, Vetere and Scappaticci
Mayor Malfitano

NAYS: None

ABSENT: None

On motion duly made and seconded,
with all members voting in favor,
the meeting was recessed for Executive Session
at 9:15 PM.

On motion duly made and seconded,
with all members voting in favor,
the meeting was reconvened at 9:58 PM.

On motion duly made and seconded,
with all members voting in favor,
the meeting was declared closed at 9:58 PM.

Respectfully submitted,

Joan B. Walsh
Village Clerk