# VILLAGE OF TARRYTOWN BOARD OF TRUSTEES WORK SESSION 6:00 P.M. WEDNESDAY, APRIL 13, 2016 Tarrytown Village Hall One Depot Plaza, Tarrytown, New York

#### Public Hearing on Tentative Budget for Fiscal Year 2016-2017

#### **Board of Trustees Concerns**

#### **Open Session**

- 1. Water Consolidation Study
- 2. Repaving of Driveway
- 3. Roof Repairs, Old Police Department Building
- 4. Metro North Pedestrian Tunnel
- 5. Letter from National Resources
- 6. Consultant Fees, Snap Fitness
- 7. Swimming Pool Fees
- 8. Arbor Day Resolution
- 9. Surplus Vehicles
- 10. Recreation Facilities

#### **Executive Session**

- 1A. Police Department Staffing
- 2A. Citibank Finding Statement

# MEMORANDUM DEPARTMENT of PUBLIC WORKS

TO: Michael Blau, Village Administrator

FROM: Howard D. Wessells Jr., Superintendent of Public Works

DATE: 22 March, 2016

RE: Old Police Station Roof

A bid was advertised for a roof overlay and installation of one additional roof drain for the Old Police Station.

Keeping in mind that the future of the building is unknown at this time and in keeping with the instructions from the Board of Trustees to keep the cost to a minimum, the bid was limited to the following:

#### The firm hired shall preform the following tasks:

- 1. Broom Sweep Existing Roof Area and remove existing roof gravel stop.
- 2. Dry and Clean existing membrane
- 3. Torch Down new APP Modified Bitumen Mineral Surfaced Cap Sheet
- 4. Install new gravel stop and associated flashings.
- 5. Install new 4" cast iron drain and tie into existing piping with cast iron piping. Location of new drain to be decided in field with owner.

This is the least expensive roofing system that I have found that can be installed with a life expectancy of 5 to 10 years.

The bid was opened and read aloud on March 3, 2016 with seven (7) bids being received. The bids ranged from a low of \$35,000 to a high of \$120,000.

The low bidder is NUA Construction Corp. This is the same company that installed the new roofing system on the Warner Library.

I have been in contact with the representative of NUA Construction and he is aware that this is a prevailing wage contract. He has also supplied the OSHA 10 certificates for the workers who will be onsite along with the safety plan for NUA Construction.

There is currently \$50,000 in the capitol budget H1502.450 for the roof overlay and drain installation.

If this project is to go forward it is my recommendation that the bid be awarded to NUA Construction Corp in the amount of \$35,000.

#### Old Police Station Roof Replacement CONTRACT 2016-02

Bid Date: Thursday, March 03, 2016

	·	BOND
CONTRACTOR	BID AMOUNT	AMOUNT
United Roofing & Sheet Metal Inc	\$38,500.00	
Nua Construction Corp.	\$ 35,000,00	
PVS Construction	\$51,500.00	#2,575,00
	. 37	
EQM Elite Quality Marnt.	\$ 37,000.00	
Ameri-Restoration Inc.	\$ 120,000.00	
Armor-Tite Construction Corp.	\$ 69,100.00	<u> </u>
	_	
Stealth Contracting Inc	\$ 79,900,00	<b>y</b> .

#### VILLAGE OF TARRYTOWN INTEROFFICE MEMORANDUM

TO:

Michael S. Blau, Village Administrator

FROM:

Michael J. McGarvey, P.E., Village Engineer

DATE:

April 5, 2016

RE:

Metro North Pedestrian Tunnel

APR 5 2016

TARRYTOWN VILLAGE

Pursuant to your request, I have been working with Architect, Dennis Noskin, to try to evaluate the condition of the existing pedestrian tunnel under the Metro North railroad tracks.

A couple of months ago, Mr. Noskin tried to evaluate the conditions of the tunnel through a manhole on the southeast side of the H-Bridge. As soon as the manhole was opened, it was apparent that fill had been placed inside the tunnel, making access from this point near impossible.

Mr. Noskin concluded that the only way to fully realize the magnitude of the fill would be to cut a section out of the top of the tunnel to view the fill and remove enough of the fill to understand the volume that needs to be removed.

We recently obtained approval from Metro North to perform this operation. I have since contacted Gianfia Corporation to meet at the site, discuss the scope of the project, and to submit a proposal on a T & M basis.

Gianfia Corporation will remove said fill from tunnel, as directed by Dennis Noskin, to a point where Mr. Noskin can assess the conditions of the tunnel.

Attached, for your consideration, are the Labor Rates for said proposal and a pedestrian traffic plan.

Should you find this proposal acceptable, I will have a contract agreement drawn up for signatures.

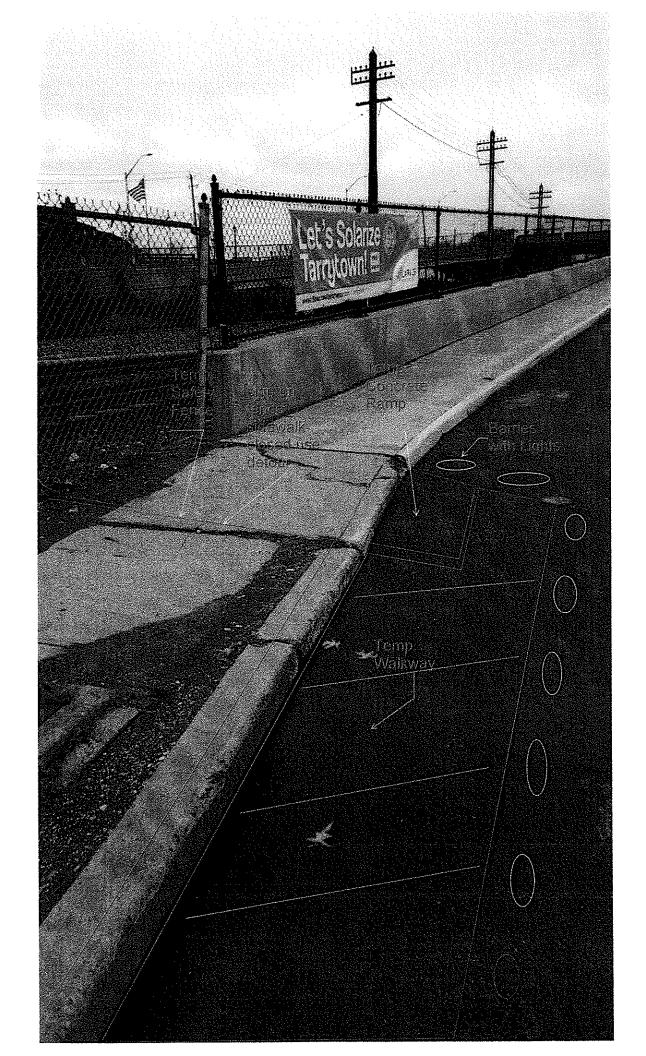
If you require further information, please contact me.

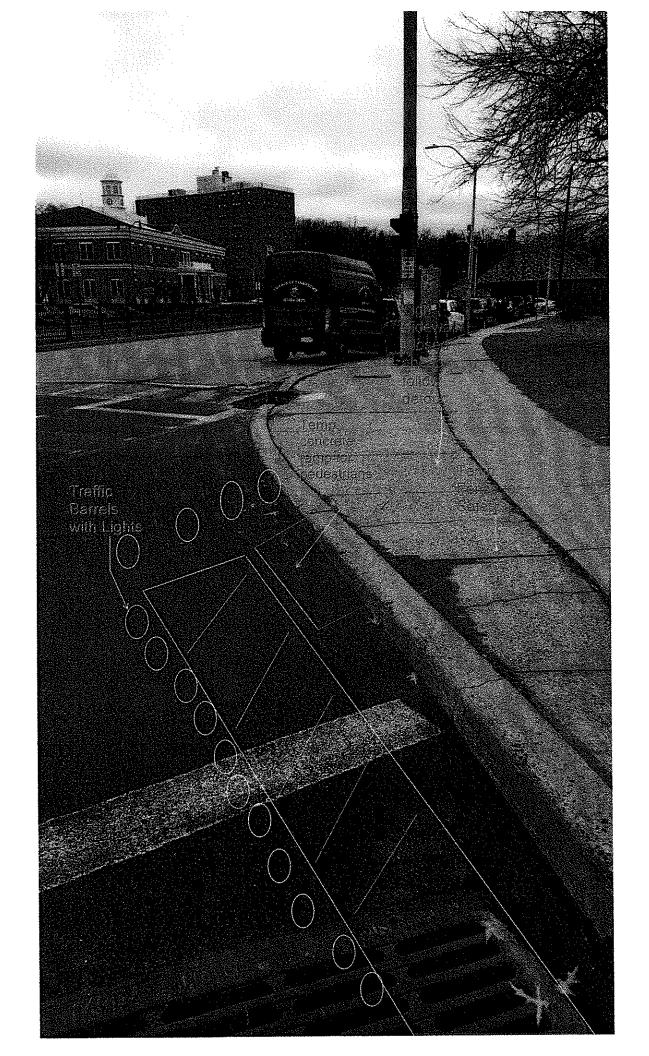
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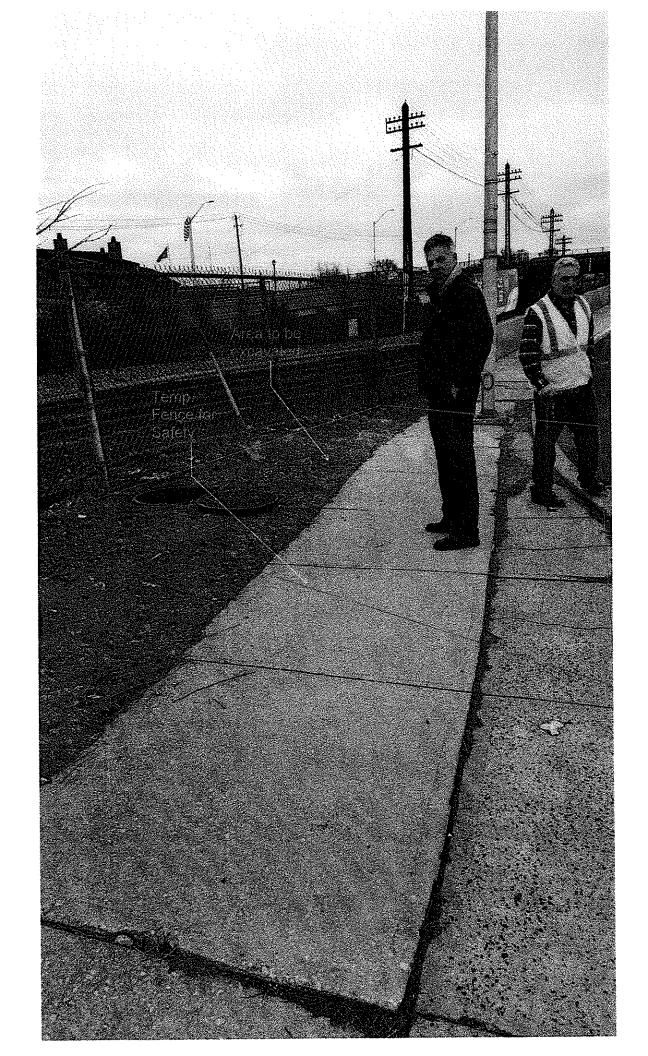
Straight Time	Expires	Per Hour	Per Day
Super		\$135.00	\$1,080.00
LOCAL 137			
Operating Engineer	3.4.15 - 3.4.16	\$126.44	\$1,011.52
Roller Operator	3.4.15 - 3.4.16	\$120.57	\$964.56
Paver Operator	3.4.15 - 3.4.16	\$131.35	\$1,050.80
Lead Engineer	3.4.15 - 3.4.16	\$131.35	\$1,050.80
Crane Operator	3.4.15 - 3.4.16	\$152.50	\$1,220.00
LOCAL 60			
Teamster	4.1.15 - 4.1.16	\$95.67	\$765.36
Teamster Trailer	4.1.15 - 4.1.16	\$98.98	\$791.84
Flagperson	4.1.15 - 4.1.16	\$92.32	\$658.56
LOCAL 456			
Teamster	7.1.14 - 6.30.15	\$106.43	\$651.44
Teamster Trailer	7.1.14 - 6.30.15	\$107.57	\$860.56
LOCAL 15			
Survey-Party Chief	7.1.14 - 6.30.15	\$156.72	\$1,253.76
Survey-Rod Man	7.1.14 - 6.30.15	\$125.94	\$1,007.52
LOCAL 40			
Ironworker	1.1.14 -6.30.14	\$177.34	\$1,418.72
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Overtime	Expires	Per Hour	PerDay
Super		\$195.00	\$1,560.00
LOCAL 137			
Operating Engineer	3.4.15 - 3.4.16	\$169.75	\$1,358.00
Roller Operator	3.4.15 - 3.4.16	\$161.15	\$1,289.20
Paver Operator	3.4.15 - 3.4.16	\$179.64	\$1,437.12
Lead Engineer	3.4.15 - 3.4.16	\$179.64	\$1,437.12
Crane Operator	3.4.15 - 3.4.16	\$207.93	\$1,663.44
LOCAL 60		-	
Laborer	4.1.15 - 4.1.16	\$128.85	\$1,029.20
Labor Foreman	4.1.15 - 4.1.16	\$133.51	\$1,068.08
Flagperson	4.1.15 - 4.1.16	\$109.09	\$872.72
LOCAL 456		,	
Teamster	7.1.14 - 6.30.15	\$140.97	\$1,127.76
Teamster Trailer	7.1.14 - 6.30.15	\$142.67	\$1,141.36
LOCAL 15		T	
Survey-Party Chief	7.1.14 - 6.30.15	\$239.45	\$1,915.60
Survey-Rod Man	7.1.14 - 6.30.15	\$193.73	\$1,549.84
Double Time	Expires	PerHour	Per Day
		\$225.00	\$1,800.00
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Operating Engineer	3.4.15 - 3.4.16	\$213.60	\$1,709.80
Roller Operator	3.4.15 - 3.4.16	\$201.73	\$1,613.84
Paver Operator	3.4.15 - 3.4.16	\$222.45	\$1,779.60
Lead Engineer	3.4.15 - 3.4.16	\$222.45	\$1,779.60

Crane Operator	3.4.15 - 3.4.16	\$263.36	\$2,106.88
LOCAL 60			
Laborer	4.1.15 - 4.1.16	\$161.64	\$1,293.12
Laborer Foreman	4.1.15 - 4.1.16	\$168.04	\$1,344.32
Shift Differential	Expires	Per Jour	Per Day
LOCAL 137			
Operating Engineer	3.4.15 - 3.4.16	\$139.44	\$1,115.52
Roller Operator	3.4.15 - 3.4.16	\$132.75	\$1,062.00
Paver Operator	3.4.15 - 3.4.16	\$145.03	\$1,160.24
Lead Engineer	3.4.15 - 3.4.16	\$145.03	\$1,160.24
Crane Operator	3.4.15 - 3.4.16	\$169.13	\$1,353.04
LOCAL 60			
Laborer	4.1.15 - 3.4.16	\$105.56	\$844.48
Labor Foreman	4.1.15 - 3.4.16	\$109.34	\$874.72
Flagperson	4.1.15 - 3.4.16	\$90.35	\$722.80
LOCAL 456			
Teamster	7.1.14 - 6.30.15	\$116.79	\$934.32
Teamster Trailer	7.1.14 - 6.30.15	\$118.10	\$944.80
Shift: Differential - OT			
LOCAL 137			
Operating Engineer	3.4.15 - 3.4.16	\$189.24	1513.92
Roller Operator	3.4.15 - 3.4.16	\$179.41	1435.28
Paver Operator	3.4.15 - 3.4.16	\$197.46	1579.68
Lead Engineer	3.4.15 - 3.4.16	\$197.46	1579.68
Crane Operator	3.4.15 - 3.4.16	\$232.88	1863.04
LOCAL 60			
Laborer	4.1.15 - 4.1.16	\$143.50	\$1,148.00
Labor Foreman	4.1.15 - 4.1.16	\$149.05	\$1,195.40
Flagperson	4.1.15 - 4.1.16	\$121.14	\$969.12
LOCAL 456			
Teamster	7.1.14 - 6.30.15	\$156.52	\$1,252.16
Teamster Trailer	7.1.14 - 6.30.15	\$158.46	\$1,267.68
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Operating Engineer	3.4.15 - 3.4.16	\$233.45	\$1,867.60
Roller Operator	3.4.15 - 3.4.16	\$225.09	\$1,800.72
Paver Operator	3.4.15 - 3.4.16	\$244.04	\$1,952.32
Lead Engineer	3.4.15 - 3.4.16	\$237.90	\$1,903.20
Crane Operator	3.4.15 - 3.4.16	\$268.31	\$2,146.48
LOCAL 456			
Teamster	7.1.14 - 6.30.15	\$196.24	\$1,569.92
*****			
Flagperson	4.1.15 - 4.1.16	\$135.87	\$1,086.00
	<u></u>		

LOCAL 456			
Teamster	7.1.14 - 6.30.15	\$175.52	\$1,404.16
Teamster Trailer	7.1.14 - 6.30.15	\$177.76	\$1,422.08
LOCAL 15			
Survey-Party Chief 7.1.14 - 6.30.15		\$298.48	\$2,387.84
Survey-Rod Man	7.1.14 - 6.30.15	\$238.32	\$1,906.56







### VILLAGE OF TARRYTOWN VILLAGE ADMINISTRATOR'S OFFICE MEMORANDUM

TO: Mayor Fixell and the Board of Trustees

FROM: Michael Blau, Village Administrator

RE: Letter from Joe Cotter Dated March 31, 2016

DATE: April 6, 2016

Reference is made to the letter from Joe Cotter in response to my email regarding the ordering of exercise equipment for the Fitness Center and the submission of required documents in order for the Building Department to issue a Building Permit to construct the affordable housing at 21 Wildey Street. I would like to address statements made in 3.i. and 3.ii. in his letter. The Village Attorney will be addressing statements in 3.i. and 3.iii. relating to the "Development Agreement".

3.i. "...the tickets are not being issued to the correct property owner and are being issued to individuals, which is not only not accurate but prohibited in the Development Agreement.

I have attached herewith copies of the Appearance Tickets issued to Joe Cotter that prompted the statements in the letter. The tickets were issued to Joe Cotter, c/o National RE/sources for a problem with the air conditioner that services the River Market restaurant at the Stone Building. National RE/sources owns the space and leases it to the restaurant. Appearance Tickets are issued to the name and the company listed on the Building Permit, which in the case at hand were Joe Cotter and National RE/sources. I have included another Appearance Ticket issued by the Building Department to evidence the manner in which such tickets are issued. The issuance of the ticket to Joe Cotter does not require that Joe actually show up in court, just that someone from his organization be present in court to address the violation. Evidently, there were issues between Joe, Joe's attorney, the court and the prosecutor which prompted demands that Joe actually be present. That is an internal matter for the court and neither the Building Department nor my office would be involved in that decision making. If Joe Cotter and National RE/sources were not the appropriate party to receive the Appearance Tickets, this is the first time this claim is being made to the Village (Building Department or Justice Court).

3.ii. There is a conflict of interest with one of the individuals that is serving on the Village Station Project Committee. This person is a Board Member in one of the Condominiums at Hudson Harbor with whom we are involved in a legal dispute.

Joyce Lannert, who is a member of the Steering Committee, is also the President of the Homeowners Association representing the Stone Building and the larger townhouses. Evidently, a lawsuit has been filed in regards to the construction issues relating to the roof and patio/decks at the townhouses. There was no objection to Joyce's membership

on the Steering Committee prior to the filing of the lawsuit. Joyce's continued membership on the Steering Committee is an issue and decision to be discussed and decided upon by the Board of Trustees.

3.iii. Streamlining the building permitting process as contemplated in the Development Agreement.

The Building Department issued a Building Permit for the construction of the foundation for the new 43 unit condominium building located at the northwest portion of the property on December 16, 2015. Minimal work has been completed on the foundation to date. In addition, no plans for the remainder of the condominium building have been submitted by National RE/sources. Thus, any claims as to delay relating to this building are on the developer and not the Village.

C: Steve Silverberg, Village Attorney

#### TARRYTOWN WATERFRONT I LLC

485 West Putnam Avenue Greenwich, Connecticut 06830

March 31, 2016

#### **VIA EMAIL**

Mr. Michael Blau Village of Tarrytown One Depot Plaza Tarrytown, New York 10591

Re: Response to Email dated March 31, 2016

Dear Michael,

In response to your email, we report the following:

#### 1. Gym Equipment

The gym equipment has been ordered. The reason this order was delayed is that I personally had worked with GymSource in the past and I was only back as of yesterday. Given our past relationship, we were able to reduce the price by an additional \$10,000. We enclose a copy of the invoice and the deposit as required.

#### 2. 21 Wildey Street

We have submitted numerous plans and we are waiting for our mechanical drawings from the architect, which we expect any day now. We have already bid the project and have contractors ready to go. In order to expedite, the Village could issue us a foundation permit and we could start within 7 days.

#### 3. Request for a Meeting with Trustees

We have a number of issues with the Village that we would like to resolve. These issues are causing us considerable delays and unnecessary costs. These include:

- i. The issuing of tickets for building violations is specifically prohibited in the Development Agreement. Moreover, the tickets are not being issued to the correct property owner and are being issued to individuals, which is not only not accurate but is prohibited in the Development Agreement;
- ii. There is a conflict of interest with one of the individuals that is serving on the Village Station Project Committee. This person is a Board Member in

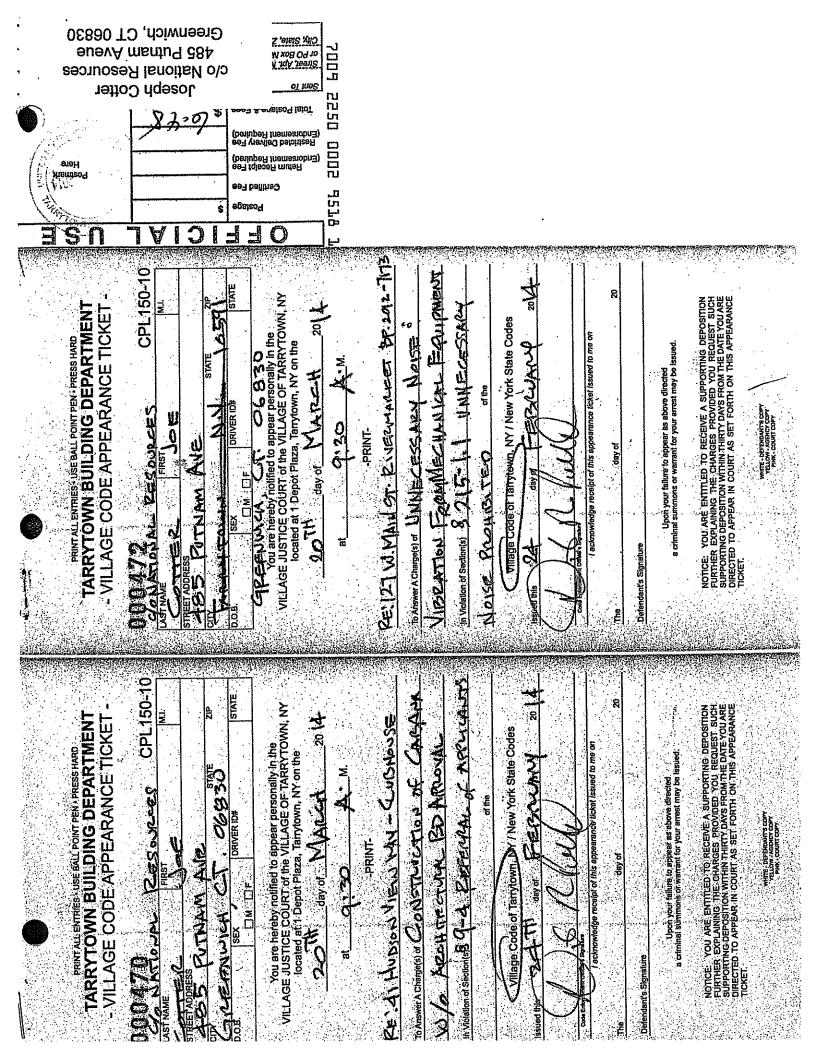
one of the Condominiums at Hudson Harbor with whom we are involved in a legal dispute;

iii. Streamlining the building permitting process as contemplated in the Development Agreement.

We are available at your convenience to discuss.

Sircerely,

Joseph Cotter



## PRINTALE ENTRIES : USE BALL POINT PENS PRESS HARD TARRYTOWN BUILDING DEPARTMENT - VILLAGE CODE APPEARANCE TICKET :

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To Answer A Charge(s) of	CONSTRUCTION	of 3991
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Village Co	de of Tarrytown, NY/New	rork State Codes
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Facknow!	ledge receipt of this appearance tick 7: day of	gt issued to me on: 20
Defendant's Signature		

Upon your failure to appear as above directed a criminal summons or warrant for your arrest may be issued.

NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY DAYS FROM THE DATE YOU ARE DIRECTED TO APPEAR IN COURT AS SET FORTH ON THIS APPEARANCE TICKET.

WHITE - DEFENDANT'S COPY
YELLOW - AGENCY COPY
DONE - COURT COPY

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#### TARRYTOWN BUILDING DEPARTMENT VILLAGE CODE APPEARANCE TICKET -

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You are nereby notified to appear personally in the VILLAGE JUSTICE COURT of the VILLAGE OF TARRYTOWN, NY Depot Plaza, Tarrytown, NY on the

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Joon your failure to appear as above directed ummons or warrant for your arrest may be issued.

NOTICES, YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY DAYS FROM THE DATE YOU ARE DIRECTED TO APPEAR IN COURT AS SET FORTH ON THIS APPEARANCE TICKET.

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### VILLAGE OF TARRYTOWN INTEROFFICE MEMORANDUM

TO:

Michael Blau, Administrator

FROM:

Carol A. Booth, Clerk ∧ ∕

SUBJECT:

**Arbor Day Resolution** 

DATE:

March 31, 2016

#### **Arbor Day Resolution**

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are renewable resources giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees are a source of joy and spiritual renewal; and

WHEREAS, the Village of Tarrytown has been recognized as a Tree City USA by the National Arbor Day Foundation for 33 years and the Village desires to continue its tree-planting ways.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby proclaim Friday, April 22, 2016 as "ARBOR DAY" in the Village of Tarrytown, and urges all citizens to support efforts to care for trees and woodlands in the Village and to support the Village's forestry program.

BE IT FURTHER RESOLVED that the Board of Trustees urges all citizens in the Village to plant trees to improve the community and to promote the well-being of present and future generations.

### Village of Tarrytown

### Memo

Michel Blau, Village Administrator To:

From: Terence Murphy, Fire Chief Januar Murphy

Date: March 28, 2016

Surplus Vehicle Re:

Vehicle listed below has been determined to costly to repair by the village mechanic. Therefore I request that this vehicle be surplus.

ID# 1FMPU16L31LB19330 2001 Ford