

YJSCB 05/04/22 Mtg Minutes

1 STATE OF NEW YORK CITY OF YONKERS

2 -----x

3 Minutes of The Yonkers Joint Schools Construction Board

4 Meeting held Remotely

5 May 4, 2022 - 4:00 p.m.

6 -----x

7 BOARD MEMBERS PRESENT:

8 MIKE SPANO, Mayor

9 DR. EDWIN QUEZADA, Superintendent

10 JAMES HASSELL, Member

11 JOSEPH APICELLA, Member

12 DR. STEPHAN GIUFFRIDA, Member

13 MARLYN ANDERSON, Secretary

14 HECTOR LOPEZ, Member

15

16 Other Attendees

17 ANTHONY LANDI, Deputy Mayor

18 SAVIN ENGINEERS (Shay Gavin, Kevin Austin, Joe Tola)

19 LANDON & RIAN (Paula Wilkerson, Lloyd Dickerson, Stacey Beaumont)

20 VINCENT VOLINO, Special Counsel

21 JOHN CARR, Executive Director School Facilities

22 KG&D Architects (Russell Davidson, Fred Wells)

23 JIM CAVANAUGH, YIDA President

24 ELIZABETH JANOSHA, Deputy Commissioner of Finance

25 WILLIAMS JACKSON, City of Yonkers Bond Counsel

26 FRANK BADALATO, Associate Corporation Counsel

27

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1 00:00:08 MARLYN ANDERSON
2 So good afternoon and welcome to the monthly
3 joint, Yonkers Joint School Construction Board
4 Meeting for the month of May. And I'm going to
5 start the meeting with a roll call, Mayor Mike
6 Spano?
7 00:00:20 MAYOR MIKE SPANO
8 Here.
9 00:00:22 MARLYN ANDERSON
10 Dr. Quezada? Robert Rijos? Ronald Matten? Pastor
11 Hassell?
12 00:00:36 PASTOR JAMES HASSELL
13 Here, present.
14 00:00:38 MARLYN ANDERSON
15 Thank you. Joseph Apicella?
16 00:00:40 JOSEPH APICELLA
17 Here.
18 00:00:41 MARLYN ANDERSON
19 Thank you. Doctor Giuffrida?
20 00:00:44 DR. STEPHAN GIUFFRIDA
21 Present.
22 00:00:45 MARLYN ANDERSON
23 Thank you. Reverend Lopez?
24 00:00:48 REV. STEVE LOPEZ
25 Here.
26 00:00:49 MARLYN ANDERSON
27 Yes, Sergeant Hector Lopez?
28 00:00:53 HECTOR LOPEZ
29 Present.
30 00:00:54 MARLYN ANDERSON
31 Thank you, I believe we have a quorum. So the
32 next item on the agenda is approval of the minutes

33 for the March 2nd meeting. I want to know if
34 anyone had a moment to review those minutes,
35 and would anyone like to make a motion to
36 approve those minutes?
37 00:01:10 REV. STEVE LOPEZ
38 So moved. Reverend Lopez.
39 00:01:13 MARLYN ANDERSON
40 Oh, Reverend Lopez, I don't think you were at the
41 meeting, so you can't um-
42 00:00:18 REV. STEVE LOPEZ
43 I wasn't? I'm sorry about that.
44 00:01:19 MARLYN ANDERSON
45 No, you weren't at the 2nd meeting.
46 00:01:20 REV. STEVE LOPEZ
47 Oh sorry.
48 00:01:24 MARLYN ANDERSON
49 The mayor was there.
50 00:01:24 REV. STEVE LOPEZ
51 Apologize for that, I- withdraw my motion, I must
52 withdraw my motion.
53 00:01:28 MAYOR MIKE SPANO
54 I make a motion.
55 00:01:31 MARLYN ANDERSON
56 Wait, we need one other person, so we're going to
57 have to hold off on the minutes, because we need
58 another person who was not there. So Dr. Quezada
59 is not here, Robert Rijos is not here, and Ronald
60 Matten is not here. So we're gonna hold on the-
61 the minutes for approval to the next meeting in
62 June. So just for update, board update, I would like
63 to introduce our new board Member Sergeant
64 Hector Lopez, welcome.
65 00:01:56 HECTOR LOPEZ
66 Thank you, thank you.

1 00:01:59 MARLYN ANDERSON
2 Sergeant Lopez was sworn in on April 12th. Just to
3 give you a little background information, he's
4 currently a Sergeant with the Westchester County
5 Department of Corrections, and he's the Vice
6 President of the Westchester Hispanic Law
7 Enforcement Association. So welcome on behalf of
8 the board, Sergeant Lopez.
9 00:02:18 HECTOR LOPEZ
10 Thank you.
11 00:02:20 MARLYN ANDERSON
12 Welcome.
13 00:02:20 MAYOR MIKE SPANO
14 Hector, welcome to the board, I know-
15 00:02:22 HECTOR LOPEZ
16 Oh, thank you very much.
17 00:02:22 MAYOR MIKE SPANO
18 You're gonna do a great job.
19 00:02:24 HECTOR LOPEZ
20 Thank you. It's actually president of the, uh.
21 00:02:27 MARLYN ANDERSON
22 (INAUDIBLE)
23 00:02:27 HECTOR LOPEZ
24 I used to be vice president, I'm president now.
25 00:02:29 MARLYN ANDERSON
26 Are you President now? Okay, great,
27 congratulations.
28 00:02:33 HECTOR LOPEZ
29 Thank you, I'm also- just to let you know, I'm also
30 an executive board member of the... so union. So
31 I'm very pro union. And, um. Back to- also, I'm part
32 of the Yonkers Zoning Board, also, of appeals and.
33 You know, I'm very interested in the security of the
34 school. You know, what security stuff is going to be

35 included later on down the line. So I'd like to use
36 my input on that down the- in the future.
37 00:03:13 MARLYN ANDERSON
38 Well, thank you and, um. It's a pleasure having you
39 on the board.
40 00:03:17 HECTOR LOPEZ
41 Thank you.
42 00:03:18 MARLYN ANDERSON
43 The next item we have is 3.2 on the agenda, which
44 is an update on the Community School, and that's
45 going to be by Kevin Austin, who, Savin Engineers,
46 our project manager. So I'm going to turn it over to
47 you, Kevin.
48 00:03:31 KEVIN AUSTIN
49 Yes, thank you very much, so we'll cover a number
50 of items during this update, we'll focus on the
51 financials, the current status of the demo, 117
52 McLean, the adjacent property, and we'll tie in
53 how these relate to the resolutions as well. And
54 can everyone hear me okay? I'm getting a
55 feedback a little... OK, alright, no problem. With
56 regard to the financials, we currently have \$17.4
57 million currently in the bank, so during our
58 issuance in September of last year was \$26 million
59 to cover previous professional fees. And then since
60 that time we've had professional fees, plus the
61 demo contract. So, as it currently stands, the cash
62 flow is basically on target. We have sufficient funds
63 in the bank for new construction to continue to
64 move forward, and we're looking for, again, a
65 second issuance, potentially in September. This
66 would be under advisement of capital market
67 advisors as well as the finance department. So at
68 this point in time everything is looking, uh, very
69 good with regard to the current financials for the
70 project. Additionally, SED finalized the total project
71 estimate for this project. For the Justice School,
72 the maximum cost allowance based on the
73 construction cost index and the MCA, where there
74 be a use assigned for this project by SED facilities
75 planning, puts this project at \$91 million. So that's

1 how much, originally this was, when it was
2 presented to SED back in August of 20, when it was
3 originally presented, the maximum cost allowance
4 was around \$68 million. And so, with everything
5 that's taking place in the market, COVID and
6 everything else, with labor materials, the state
7 basically has stepped up to the plate to more than
8 offset the difference that districts are facing with
9 regard to increased costs for projects. So our,
10 we're in a very fortunate position as far as this
11 project is concerned because our award for the
12 new construction was \$51 million back in January.
13 Uh, with the total project cost incidentals.
14 Purchase of the Saint Denis site as well as new
15 construction and professional fees. The total was
16 at 75 million. So basically, with that 75 million the
17 state is still saying, you have roughly \$16 million
18 with regard to aidable construction on this project.
19 So of course we won't use that, it's not necessary,
20 but just letting the board kind of know where
21 things stand because originally when we were
22 having this discussion moving forward, we were
23 very concerned with regard to where the bids may
24 come in versus what the MCA from state aid will
25 be. So State aid has provided their decision
26 pertaining to the total MCA, so that's a very good
27 thing and will be useful in the future. Additionally
28 on the financials. We are basically wrapping up the
29 demo contractor, pertaining to his final payments.
30 To date we've made five payments to the demo
31 contractor with only \$262,000 left on his base
32 contract. So we are winding down that \$3.7 million
33 demo project very soon. So that's very good. The-
34 Another benefit pertaining to the demo contractor
35 due to the efficiency of the design team as well as
36 those that are approving it on behalf of the city. To
37 date, we've been able to garner some \$70,000
38 back in credits because of prompt payments. So
39 simply by efficiently moving it through the system,
40 not delaying, we've been able to then utilize those
41 funds to offset; you know, a portion of the change
42 orders that have been required pertaining to either
43 abatement or other approved items. But yet that's
44 kind of rare in this environment to get money back
45 simply because of efficient processing. So we're
46 happy about that. Regarding the demo, we're

47 currently on schedule to complete and have
48 everything finished with regard to the demo. Our
49 target is May 13th, which is next Friday basically.
50 The demo contractor, JoDi, is wrapping up two or
51 three final items pertaining to the project, but of
52 course as everyone knows, this should have
53 basically taken place in late February, but here we
54 are in May simply because of what was reported at
55 our March 2nd board meeting that there was
56 damage that occurred at- in the neighboring
57 property on 117 McLean as we were doing work
58 on our property at 121 McLean. So, with that in
59 mind, there was an emergency, as a reminder,
60 declared by the Commissioner, building
61 Commissioner on the 24th, that we would have to
62 ensure that that property was stable. So there was
63 a crack that occurred on the South wall of the
64 building. He came in to ensure that that building
65 was stable and so that basically caused us to incur
66 some additional fees pertaining to ensuring that
67 the building was safe, but also to ensure that we
68 would be able to move forward with our project
69 expeditiously. Some of those things, just to
70 reiterate, we brought in Krypton engineering as
71 emergency structural engineer. He was on site the
72 next day. He provided design for the shoring that
73 went into the building into the basement to make
74 sure everything was fine. He provided monitoring
75 equipment so that we would be able to measure
76 the wall, measure the movement, again to comply
77 with the need for the building Commissioner to
78 know that that building was safe to be occupied.
79 And he also provided an ongoing monitoring
80 service so that until the design team for the Justice
81 School was able to basically get their arms around
82 where we currently stand, he provided monitoring
83 for two months from February 25th through April
84 25th. So those services you'll see the resolution
85 included up to, not to exceed amount of \$26,000.
86 So his services have been completed. At that time,
87 we brought on Grace contracting as well. So Grace
88 built the actual interior shoring, temporary shoring
89 to make sure that that first floor was not
90 compromised, and that everything was stable, and
91 again, that was also referenced in the resolution
92 for \$21,000 to basically provide the temporary

1 shoring. Moving forward, the design team
2 aggressively worked to find a solution to assure
3 that the work that was performed and needed to
4 be performed in order for us to move forward with
5 the demo, as well as no impact on new
6 construction, required coming up with a modified
7 way for shoring on our side of the property. So
8 therefore after a couple of months, basically
9 maybe six weeks or so between KG&D, the shoring
10 engineer and other consultants, Tectonic
11 Engineering, uh, a proposal was put forth to
12 modify the shoring and provide additional shoring
13 as well, supportive excavation on 117, as well as on
14 our property. So all that was agreed upon by- as of
15 April 25th and was approved so that we can move
16 forward so as not to delay our project any further.
17 And that's referenced for a not to exceed amount
18 for JoDi Realty of \$100,000 for doing that
19 additional shoring work with also speeding it up by
20 working weekends and 2nd shift for \$15,000. And
21 we also had this redesign of the shoring, not
22 necessarily necessitated, but in prudence to
23 provide an additional interior wall into 117 so
24 KG&D provided a design that was submitted
25 through the Building Commissioner's Office that
26 the permits were received and approved and
27 Grace Contracting finished that work over the
28 course of a weekend, April 24th, 23rd and 24th,
29 and that was for \$35,000. And Russ, would you like
30 to provide an update with regard to the actual
31 repairs to the building of 117 McLean?

32 00:13:05 RUSSELL DAVIDSON

33 So yeah, good afternoon everybody. So, we're
34 working with a third structural engineer with a lot
35 of experience in fixing buildings in tight settings,
36 and he's looking to repair the cause of the
37 problem, not just the symptom. So we're probably
38 going to look at underpinning that foundation so
39 that the building owner ends up with a building as
40 good as he had before this all happened and, uh.
41 We're looking at techniques that do not impact the
42 progress of the new construction so that that work
43 can continue while the repair is underway.

44 00:13:45 KEVIN AUSTIN

45 Excellent, thank you very much. So, with that in
46 mind, we are anticipating receiving that design and
47 cost, so that will be discussed and reviewed at a
48 future board meeting. Moving on to new
49 construction, we have all contracts executed, with
50 all the primes that were awarded February 2nd.
51 And Joe Tola from Savin, would you like to provide
52 an update on new construction?

53 00:14:16 JOSEPH TOLA

54 Sure, I just want to back up to the JoDi project for
55 one second just to make the board aware, we
56 found some contaminated soil from the oil tank
57 vault that is in the process of being removed.
58 Dutchess will be on site tomorrow, who is a
59 consultant to JoDi, and we'll determine how much
60 we need to remove and stuff. Yesterday KG&D and
61 Savin, we had a conversation about it, and we
62 wanna not undermine 117. So at a certain point
63 we're gonna stop so we don't cause any damage to
64 117 and. And, uh. There still may be an issue there,
65 but it's been done before on other projects. Just
66 making everyone aware of that.

67 00:15:09 MAYOR MIKE SPANO

68 Whose- whose tank is it?

69 00:15:12 JOSEPH TOLA

70 It- it was part of the school.

71 00:15:14 MAYOR MIKE SPANO

72 Oh, the- What size?

73 00:15:19 KEVIN AUSTIN

74 Three- there was two 3000 gallon tanks.

75 00:15:19 MAYOR MIKE SPANO

76 Oh, did we not know about these?

77 00:15:25 KEVIN AUSTIN

78 We removed them, however they actually were
79 leaking. So in order to be able to remediate, we
80 had to get the building down first and then as you
81 excavate it, it exposed the extent of the leak.

1 00:15:38 MAYOR MIKE SPANO

2 Gotcha, yeah.

3 00:15:39 RUSSELL DAVIDSON

4 So we knew about them, we didn't know they
5 were in a vault because we- that was a concrete
6 vault below grade, so that was additional concrete
7 work. And our experience is when you have
8 contaminated soils, that you have to remove them
9 until they will undermine adjacent structures. So
10 we're going to have to work with Dutchess
11 Environmental and the County Department of
12 Health, remove what we can and leave what- leave
13 the rest.

14 00:16:05 MAYOR MIKE SPANO

15 OK, it was in a vault, right, but it still seeped into
16 the ground.

17 00:16:10 RUSSELL DAVIDSON

18 That is correct.

19 00:16:10 JOSEPH TOLA

20 Yeah.

21 00:16:10 MAYOR MIKE SPANO

22 And that was in a vault- I thought the whole idea of
23 a vault is it doesn't do that, but I guess...

24 00:16:14 RUSSELL DAVIDSON

25 Yeah, you're correct, it wasn't working.

26 00:16:18 MAYOR MIKE SPANO

27 OK.

28 00:16:19 JOSEPH APICELLA

29 Hey Russell, it's Joe.

30 00:16:20 MAYOR MIKE SPANO

31 That's all luck.

32 00:16:22 JOSEPH APICELLA

33 Yeah, well. When they did the phase two
34 investigation, they obviously knew these UST's

35 existed. And we've done- we specialize in
36 brownfield cleanup. Did we at any point ever
37 consider applying to the New York State DEC
38 Brownfield Program?

39 00:16:43 RUSSELL DAVIDSON

40 Yeah, I don't. I don't think we had any evidence of
41 leakage at that time, so no. I'm familiar with the
42 program though.

43 00:16:53 JOSEPH APICELLA

44 Okay.

45 00:16:55 JOSEPH TOLA

46 OK, moving along. Piazza and their subcontractors
47 have started working at the community building.
48 They're in the process of putting in lagging. Which
49 is the SOE. So then we can start with footings and
50 foundations. Uhm, they've also, if you notice, if
51 you've come across Van Cortlandt, they've cut the
52 street, started excavation to bring the utilities from
53 the community facility over to the playground
54 area. And, um, we're in the process of working
55 with the design team and the city and stuff, there
56 is a couple of hits, for example, the water main
57 pipe and some Con Edison utilities and stuff like
58 that that we have to work around which Russ and
59 his team are working around so that we can come
60 up with a plan that'll work for us. Tomorrow there
61 is a meeting with the Piazza and Talt to-
62 finalize, but to be scheduled in a better direction to
63 share them with the rest of the prime contractors.
64 Because of the way it's laying out right now with
65 Talt, we need Talt, who is your electrical
66 contractor, to tighten up some durations so we can
67 hit deliverable dates. And the goal is for Piazza to
68 take over the entire site right after the 13th. And
69 that-

70 00:18:39 KEVIN AUSTIN

71 And- Is that it, Joe?

72 00:18:41 JOSEPH TOLA

73 Excuse me?

1 00:18:42 KEVIN AUSTIN

2 Is that it on new construction?

3 00:18:44 JOSEPH TOLA

4 And there- and one more item inside the
5 playground area, we started removing some of the
6 earth so we can begin with the detention system.
7 But now we have to work- We have to work some
8 of the details as we're crossing the street from Van
9 Cortlandt, from one side to the other, just to make
10 sure that we have the proper elevations and
11 pitches in place. So, once that's redesigned, we can
12 work with Piazza, get that back going.

13 00:19:11 RUSSELL DAVIDSON

14 So from our perspective, we are seeing a lot of
15 submittals of products for the- for the project,
16 that's coming in very well. So concrete, steel,
17 we've seen. We're getting the windows we
18 specified, we're getting the brick we specified,
19 we're getting the stone that we specified. So
20 there's every indication the buildings will look
21 exactly like the rendering, and in a few months you
22 should see a mock up on the outside of the
23 building and we'll let everybody on the board
24 know when that is prepared so you can see the
25 actual materials before they go up.

26 00:19:50 KEVIN AUSTIN

27 Yes. And one final update with regard to the
28 project is, we are, as everyone knows, our parking
29 is very tight with regard to the site, but primarily
30 SED has reiterated that overall we need to address
31 the parking. So therefore, potential site
32 acquisitions are being considered, and that's also
33 the reason for the appraisal resolution that's on
34 today's board agenda.

35 00:20:27 MARLYN ANDERSON

36 Alright, thank you Kevin. So, Next up is the New
37 York State Education Department annual
38 supplemental report. You just-

39 00:20:37 DR. EDWIN QUEZADA

40 Good morning. I'm sorry, but I- I have a question
41 and I apologize for joining late. But did we speak
42 about where we are in terms of the timeline?

43 00:20:46 MARLYN ANDERSON

44 Oh yeah, you want to talk about timeline? Well, he
45 did talk about the timeline for the start, for
46 completion of demolition, was May 13th, which is
47 next Friday. But you want a overall project
48 timeline?

49 00:20:58 DR. EDWIN QUEZADA

50 No, I'm asking- You know, as you know, building
51 the school is one thing, and then preparing for
52 opening it in September is a whole different
53 concept. You know, so. So I, that's what I'm asking.
54 Completion is opening in September with my
55 students in it?

56 00:21:18 JOSEPH TOLA

57 So I'll answer that question. So currently we're
58 working on the schedule, Dr. Quezada, and we're
59 currently four months behind. We're working with
60 the primes to get a completion schedule for
61 September occupancy as you're- as you're
62 requesting. We're not there yet, but the goal is to
63 work at that, and that's part of the meeting
64 tomorrow. And there'll be many- will be many
65 more meetings to follow, but we will come back
66 with a realistic schedule and timeline for the board
67 and everyone to go through.

68 00:22:03 DR. EDWIN QUEZADA

69 I appreciate that Joe, thank you.

70 00:22:06 KEVIN AUSTIN

71 Yeah, pertaining to the supplemental report- Is
72 that okay, Marlyn, to address that?

73 00:22:12 MARLYN ANDERSON

74 Oh yeah, you can go. Yeah, thank you.

75 00:22:13 KEVIN AUSTIN

76 Yeah, so basically as part of the legislation, yearly
77 updates are necessary for the modernization plan.

1 So the full \$523 million in the legislation, 2016 and
2 17, 2017 revisions. So a major part of this update,
3 though, is to establish enrollment projections for
4 upcoming years. The last demographic study was
5 back in 2019. So the specific project updates are
6 being prepared as requested by SED, and as is
7 necessary for legislation. However, an updated
8 request for demographic study is needed, hence
9 the proposal, or resolution on our board meeting
10 for an updated demographic study. And this is
11 especially unnecessary given the impact of COVID
12 on enrollment shifts in districts, as everyone knows
13 that there's adjustments. And so therefore to be
14 aligned with current enrollment and the
15 projections instead of using something that's two
16 to three years old, we need to ensure that we're
17 aligned with where things currently stand, and
18 then that establishes the base for additional
19 growth within the district, but specifically meeting
20 the needs of space of additional seats. So that's
21 new construction for additions, new schools, what
22 have you, that demographic study is the base of all
23 of that.

24 00:23:45 DR. EDWIN QUEZADA

25 So Kevin. Just so that everyone understands, you
26 know, the approval that was provided by SED
27 requires yearly report- regular reports to SED in
28 relation to the project, correct? Is that what we're
29 discussing?

30 00:24:03 KEVIN AUSTIN.

31 That's correct, that's the annual supplemental
32 report.

33 00:24:07 DR. EDWIN QUEZADA

34 And then the district has always worked with
35 someone named, I believe it's Dr. Grip, who has
36 done excellent demographics for us. Can you help
37 me understand, Uh, whether or not we considered
38 Dr. Grip, or is this Dr. Grip, I mean, who will be
39 doing these...

40 00:24:23 KEVIN AUSTIN

41 This is- the proposal is for his services to basically
42 pick up where he left off in 2019 that, as you
43 mentioned, was effective and was beneficial for
44 getting this current approval for OSC as well as
45 SED. So, we hope to, but he's just, many districts
46 are engaged with him for his services, and so it's
47 going to take some time to get that. So we're
48 hoping that in the coming two months or so, he'll
49 be able to provide that information.

50 00:24:59 DR. EDWIN QUEZADA

51 Thank you, Kevin.

52 00:25:01 KEVIN AUSTIN

53 You're welcome. That's it with regard to, um, the
54 updates and the annual supplemental report.

55 00:25:12 RUSSELL DAVIDSON

56 Well, just one thing to add Kevin, there's also
57 some-

58 00:25:14 KEVIN AUSTIN

59 Yes, please.

60 00:25:15 RUSSELL DAVIDSON

61 -Different opportunities that the Superintendent is
62 exploring with our office that may or may not be
63 incorporated into that update, so it makes sense to
64 take a pause and get it correct.

65 00:25:30 KEVIN AUSTIN

66 We agree.

67 00:25:32 DR. STEPHAN GIUFFRIDA

68 I have a quick question, if you don't mind.

69 00:25:36 MARLYN ANDERSON

70 Sure, Dr. Giuffrida.

71 00:25:37 DR. STEPHAN GIUFFRIDA

72 How are you getting back- somebody mentioned
73 the Brownfield program. Now that we are aware of
74 contamination or some spillage on the property
75 site, is it beneficial in any way to the project itself
76 to apply now for participation in this brownfield

1 program? I know, Mr. Davidson, you had said that
2 you're familiar with it, I am not.

3 00:26:03 RUSSELL DAVIDSON

4 It generally applies to larger industrial sites that
5 have a site wide problem. We really haven't been
6 involved with it, where you have individual oil tank
7 spills. Uh, so I don't- my- we could do some
8 research, but my guess is we're a little too far
9 along to go that way at this point. And that we did
10 anticipate some contaminated soil, there was an
11 allowance for some, it- that will be exceeded. I
12 think that the best path, cost effectively, is to
13 remove what we can, and pay that cost, and keep
14 moving.

15 00:26:43 JOSEPH APICELLA

16 Russell and Dr. Giuffrida, I agree. You're too far
17 along, and just the documentation, having to do
18 the remedial investigative work plan, and the
19 SWPPP and all those things, would just delay you
20 further. My question at this point is, and we should
21 just bear the burden of whatever you have to do,
22 my question is, and maybe I missed it, why are we
23 four months behind? Joe?

24 00:27:10 JIM CAVANAUGH

25 A lot of it has to do with the issue of the crack in
26 the adjacent building at 117 McLean. I mean. I'll, I'll
27 ask, I'll ask Kevin to speak to that, but that's, that's
28 most of it. We had to stop work. We had to
29 evaluate why that crack occurred. We had to deal
30 with the property owner. There was a time where
31 he did not want us to enter his property for
32 remedial purposes, because he is dealing with his
33 insurance company, which we understand. Uhm,
34 so that is the bulk of it, but I'll ask Kevin to be more
35 specific.

36 00:27:49 KEVIN AUSTIN

37 Yep, so, overall, that is the reason, because once
38 that took place, we had to go through various
39 design options. The initial design was not
40 sufficient, because again, our focus is on our work
41 as well. So even with whatever happened, we need

42 to move forward in such a way that will allow us
43 not to impact that building and to finish the job so
44 multiple iterations from the design team were put
45 forth and was finalized, too, in working with the
46 building owner, of course, then you need access.
47 You need easement agreements. You need
48 everything related to also the Commissioner with
49 the permits on the work on the interior. So that's
50 the bulk of it. There were some additional- the
51 December 2021 change order that was approved
52 by the board, the \$400,000 that added basically a
53 couple of weeks to it with regard to abatement.
54 Plus, we had some underground abatement that
55 was created an additional week, so between the-
56 you know that would put it at more or less three
57 months with regard to construction itself, so two
58 months related to 117 and then one month related
59 to the additional abatement that was approved
60 and known.

61 00:29:09 JIM CAVANAUGH

62 I think that-

63 00:29:09 JOSEPH APICELLA

64 And there was not an access agreement in place
65 with the abutting property owner before
66 construction?

67 00:29:16 KEVIN AUSTIN

68 There was one, but not for the work that took
69 place. So we need- the additional shoring that was
70 done is 3 feet on his property, so that had to be
71 part of a revised agreement, as well as to do any of
72 the interior work required two agreements. So one
73 was to do the emergency work and then a second
74 one to do the reinforcement permanent wall.

75 00:29:43 RUSSELL DAVIDSON

76 We had access agreements for every neighbor to
77 monitor their structures.

78 00:29:47 JIM CAVANAUGH

79 Yeah, we did- We did pre-construction inspections
80 of all the neighboring properties so that we could
81 assess what condition they were in. But you know,

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1 remember, we are working inches, if not feet, but
2 probably inches away from this building, which is
3 over 100 years old, Russ? It's-

4 00:30:08 RUSSELL DAVIDSON

5 It's about 100 years- It's a four story brick bearing
6 building that's about 100 years old.

7 00:30:14 JIM CAVANAUGH

8 And, and shows signs of wear and tear, so a
9 difficult situation to begin with, but that is the
10 reason we're behind.

11 00:30:23 MAYOR MIKE SPANO

12 I don't- I don't doubt it was- it was a difficult
13 situation and I appreciate with Jim Cavanaugh
14 stepping in and being helpful, but I kind of felt that
15 for- for 3-4 months I really didn't see the alarm
16 bells going off, at least on our end like we should
17 have seen. And I think, you know, Savin, I guess
18 Savin's supposed to be the boss, right? I just- I
19 mean I'm assuming that we're going to try to get
20 all these guys online and getting them working on
21 weekends and what have you, to try and get our
22 kids in the school in September. If not, we might as
23 well wait 'til a year later to get this thing done, and
24 I certainly don't want to see that happen. But I
25 kind of really, I just want to throw this out there,
26 guys, I kind of feel like this three month delay was
27 not met with the urgency that I really feel it should
28 have been met with, and I'm not, like I said, I'm
29 not- I'm not directing this at Jim, at Cavanaugh, at
30 all, because I think Jim was the guy that that really
31 kind of pushed everybody along for us. But maybe,
32 maybe this is something that asked- that
33 somebody should tell us about, maybe that's Savin
34 and I don't know. I don't know who's- Who's
35 supposed to be the project manager that says, hey,
36 look, we're three months behind, this is what
37 we're doing, and this is what we need to do to get
38 us back on track?

39 00:31:58 KEVIN AUSTIN

40 Yeah, so-

41 00:31:58 MAYOR MIKE SPANO

42 Who's supposed to- who's supposed to do that?

43 00:32:00 KEVIN AUSTIN

44 So Savin is the program manager and we work with
45 the design team closely because without the
46 support of everyone involved, there's no way to
47 accomplish this job. So, from our perspective, the
48 117 became a priority which I guess necessitated a
49 cautious approach, meaning we can't force the
50 demo contractor, fortunately he didn't walk off the
51 job, that we would have to basically recover by
52 getting another contractor, but also allowing the
53 design team and consultants to come up with the
54 solution, it takes time. And it's- it's unfortunate,
55 but for the sake of safety, of 117 and those
56 residents, and the resulting consequence if it was
57 moved too quickly would have been negative. And
58 so it is true we wish we would not have been in
59 this position. But from our perspective, and Russ
60 could chime in, but it was not until April 25th that
61 we had a firm design that would allow us to move
62 from the Commissioner's standpoint, the building
63 Commissioner, from- that was acceptable to the
64 shoring engineer as well as the demo contractor,
65 that was the focus. So it's not an excuse, it's just,
66 that's what happened with the time.

67 00:33:31 SHAY GAVIN

68 Now, Mayor? This is Shay Gavin, I'm the one in
69 charge of the Savin group that's part of this
70 project. Certainly you may not have seen a lot of
71 the urgency in your office, but I can tell you that
72 we worked very closely with the designers, very
73 closely with the neighboring owner, very closely
74 with Jim. And I can attest that it involved work on
75 weekends and overnight. I know that Kevin
76 expended an enormous amount of energy trying to
77 coordinate everything. We worked closely with
78 Russ and his team. And these issues, they do take
79 all of the pieces of time that we talked about, but
80 the most important thing is safety, and that was a
81 big concern. What we did not want to deal with
82 was a collapse of a 100 year old building. So, it has
83 to be done incrementally and with the design
84 engineers slowly, to find the correct solution for

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1 the type of problem that existed, geotechnical
2 problem, the underground problem. We believe
3 it's in place now. We only have a small piece of
4 work left through next Friday. And it is a difficult
5 issue, we are, as Joe said, we're working very
6 closely with three or four meetings now with the
7 contractors, to get a recovery schedule to get us
8 back to where the goal of September of next year.
9 That is still the goal, and that's where we're
10 pushing.

11 00:34:59 MAYOR MIKE SPANO

12 Okay.

13 00:34:59 RUSSELL DAVIDSON

14 And then Mr. Mayor, from our point of view, we
15 wish it hadn't taken so long as well. We- we've
16 known this opening date for years, and we've
17 made every deadline we could to get you out to
18 bid, so we don't want to see it go away now. But
19 when they say the design team, there's actually, a
20 portion of the design team is the contractor at this
21 point, because they designed the shoring. So we
22 also had to be careful about city liabilities, and not
23 putting any liability back on the city, and getting
24 the contractor to do his portion of design. And we
25 bent over backwards and did it, and we stepped in
26 and designed shoring and we have spent an
27 enormous amount of time on it. And as Shay says,
28 a lot of this is not action on the site, but there's not
29 a day that our office hasn't been focused on 117
30 McLean and getting Piazza started again to get this
31 building up.

32 00:35:57 JOSEPH TOLA

33 And I just wanted to add, Mr. Mayor. That you may
34 have not seen what was going on, but there was
35 definitely going on, there was an urgency. People
36 may- may make you believe or tell you stuff isn't
37 happening, but stuff was happening. Kevin was on
38 vacation, working through his vacation, helping
39 getting things going. KG&D, similar things, we're
40 always working together to make things happen.
41 So. Some of the information that may have come

42 to you was inaccurate, and we will push your
43 schedule.

44 00:36:36 MAYOR MIKE SPANO

45 Great. Thank you. Appreciate that.

46 00:36:41 MARLYN ANDERSON

47 All right, any other questions? Before we move on
48 to new business? Okay. So, I'm going to go into
49 agenda item 4.0, which is new business. As
50 discussed, this is resolution 2022-10, which is
51 approving the agreement to procure services for
52 the New York State Ed- No, I'm sorry, I'm gonna go
53 back up. Resolution 2020 209, A group- group
54 agreement approving not to exceed 200,000 to
55 support the excavation and structural
56 reinforcement work that's happening at the
57 construction site. So anyone would like to make a
58 motion?

59 00:37:20 MAYOR MIKE SPANO

60 Make a motion.

61 00:37:21 MARLYN ANDERSON

62 The mayor, seconded by.

63 00:37:28 PASTOR JAMES HASSELL

64 Hassell (INAUDIBLE)

65 00:37:31 MARLYN ANDERSON

66 Pastor Hassell. All in favor?

67 00:37:32 MULTIPLE

68 Aye, aye.

69 00:37:34 MARLYN ANDERSON

70 Any opposed? The next item is Resolution 2022-10.
71 That's the agreement approving to procure
72 services to New York City Educational annual
73 supplemental report. That's the services of Dr.
74 Grip, and that's going to be annual services, not to
75 exceed 16,200. Would anyone like to make a
76 motion to approve that resolution?

77 00:37:59 JOSEPH APICELLA

1 Motion to approve.
2 00:38:00 MARLYN ANDERSON
3 Thank you, Joe,
4 00:38:02 DR. STEPHAN GIUFFRIDA
5 Second.
6 00:38:02 MARLYN ANDERSON.
7 Seconded by? Dr. Giuffrida. All in favor?
8 00:38:06 MULTIPLE
9 Aye, aye.
10 00:38:09 MARLYN ANDERSON
11 Thank you any opposed? So, the next resolution is
12 2022-11, which is approving an agreement for
13 appraisal services for the potential acquisition of
14 land for a parking lot at the new school. Would
15 anyone like to make a motion to approve that
16 resolution?
17 00:38:29 JIM CAVANAUGH
18 Maybe we should explain to the board what it is
19 looking to do here.
20 00:38:31 MARLYN ANDERSON
21 Oh, sure.
22 00:38:33 JIM CAVANAUGH
23 It was always- It was always anticipated that we
24 would need parking, Uhm, for staff at the school.
25 And we had been looking at a lot, I guess, over on
26 McLean Avenue a few blocks in the school. Uhm,
27 that property owner does not want to sell. We
28 always have the opportunity for eminent domain,
29 but it's to be avoided if at all possible. And so
30 we've looked at two buildings which are exactly
31 adjacent to the school, actually next door to 117
32 McLean. There are two wood frame buildings, both
33 of the owners are willing to sell to us, so the first
34 step would be to get an appraisal and see what the
35 properties are worth. So this would be a better
36 option because it literally is adjacent to the school
37 as opposed to a block or so away, and you know,

38 we'll see where it goes, but the first step is get- is
39 to get an appraisal.
40 00:39:34 DR. EDWIN QUEZADA
41 Jim, can- can I just ask a quick question? I don't
42 know if it was Kevin, what exactly did SED say
43 regarding the provision of parking for staff?
44 00:39:49 KEVIN AUSTIN
45 Yeah, so during the submission of the project to
46 SED you are required to have a certain amount of
47 land, open space, with regard to constructing a
48 new school. Otherwise, basically, variance is
49 necessary. That's generally given in a urban area
50 such as Yonkers. I do not have the actual wording
51 in front of me pertaining to the parking. However,
52 that was from the travel study that was done that
53 is requiring adjustments in direction of traffic on
54 certain streets, widening one of the streets,
55 changing a bus stop, and other items that is part of
56 those adjustments that are necessary in order to
57 meet the needs of the school. So currently you
58 only have a few spots that will be on the current
59 site of the convent, just a small portion of it,
60 because half of that site of the convent will be a
61 playground, and then parking. So Russ, do you
62 have the specifics on the number of spots total?
63 00:40:58 RUSSELL DAVIDSON
64 Yeah. Actually, I think some of this happened
65 before you were involved, Kevin. So just to clarify, I
66 believe this is driven by the traffic study, not SED.
67 To answer Dr. Quezada's question, you have a site
68 size variance for this school. They understand
69 you're an urban school, you don't have big parking
70 lots at your schools, so this came from the traffic
71 study that- that was recommended that you try
72 and get some additional off-street parking closer
73 to the school. It did not come from SED.
74 00:41:33 DR. EDWIN QUEZADA
75 Thank you.
76 00:41:35 KEVIN AUSTIN
77 Thank you for that clarification, Russ.

1 00:41:38 RUSSELL DAVIDSON
2 Yeah.
3 00:41:39 DR. EDWIN QUEZADA
4 I'm willing to move the resolution forward then.
5 00:41:42 MARLYN ANDERSON
6 Okay, so if anyone would like to make a motion to
7 approve the resolution?
8 00:41:48 PASTOR JAMES HASSELL
9 So moved.
10 00:41:49 MARLYN ANDERSON
11 Seconded by? That was, you seconded, Pastor
12 Hassell? Or was that- Dr. Quezada was that you?
13 So- It was after (INAUDIBLE)
14 00:42:04 PASTOR JAMES HASSELL
15 I'm moving. I-
16 00:42:04 MARLYN ANDERSON
17 Is that Pastor Hassell? (INAUDIBLE)
18 00:42:06 PASTOR JAMES HASSELL
19 I- I thought I moved, but I can second, that's fine.
20 00:42:11 MARLYN ANDERSON
21 That was- Okay, so that was Dr. Quezada and
22 Pastor Hassell, right? Just want to make sure I have
23 it correct... no? No, Doctor Q... yes?
24 00:42:19 DR. EDWIN QUEZADA
25 Whatever Dr. Hassell wants.
26 00:42:23 MARLYN ANDERSON
27 Okay, I'm gonna take you-
28 00:42:27 PASTOR JAMES HASSELL
29 I'll second the motion, I'll second the motion
30 00:42:27 MARLYN ANDERSON
31 Got it. All those in favor?

32 00:42:32 REV. STEVE LOPEZ
33 Aye.
34 00:42:32 MARLYN ANDERSON
35 Any opposed? So, before we adjourn the meeting,
36 let's just have an update from Landon and Rian, I
37 know we didn't talk about compliance, but Lloyd if
38 you want you can give an update to the Board of
39 where we are with complying for the (--) project.
40 00:42:48 LLOYD DICKERSON
41 Absolutely. So we are in the process of retaining
42 their remaining documentation. I know with
43 everything that was mentioned with the delays,
44 the contractors are still giving us their
45 documentation. So we're working with them. I did
46 have a call yesterday with Kevin and Vincent to
47 assist in that, so we put together some breakdown
48 of where the project currently stands. We don't
49 have any numbers for the construction yet
50 obviously, but as far as JoDi, it looks like- I'm going
51 to try to make my screen smaller here. It looks like
52 they are actually over, they're at a collective 32%.
53 Their original utilization was coming in at I think
54 28%, so they're about four points higher. They
55 acquired two additional minority firms since the
56 project started, which is usually what happens, a
57 lot of the firms that are on site either get
58 additional work or they get other firms to kind of
59 make that up during the process. So we're working
60 with them to get their final paperwork in, getting
61 all- their EEO is out the window as far as their
62 minority and women work force. So we're coming
63 in the door very strong on that front. So as soon as
64 they're done, we see Piazza submitted their first
65 pay application. So Kevin sent that over today, so
66 we'll get that reviewed this week and start our
67 report for the construction.
68 00:44:17 MARLYN ANDERSON
69 Thank you, does anyone have any questions?
70 Okay, so if there are not any more questions,
71 would anyone like to make a motion to adjourn
72 the meeting?

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- 1 00:44:28 RUSSELL DAVIDSON
- 2 I just want to mention one thing, Marlyn. You have
3 a new Member who is interested in security, and
4 we could set up a meeting with him and the
5 district security consultant to review all the
6 features in the building, if he would like that kind
7 of review.
- 8 00:44:45 HECTOR LOPEZ
- 9 I would.
- 10 00:44:46 MARLYN ANDERSON
- 11 Yes? Okay, I can set that up. I'll put you two guys in
12 contact. That's not a problem. So, would anyone-
13 any other questions before I move on? No? Okay,
14 would anyone like to make a motion to adjourn-?
- 15 00:45:03 MAYOR MIKE SPANO
- 16 I'd like to make a motion to adjourn, Marlyn.
- 17 00:45:06 MARLYN ANDERSON
- 18 Thank you, mayor. Seconded by?
- 19 00:45:09 HECTOR LOPEZ
- 20 Right here.
- 21 00:45:11 MARLYN ANDERSON
- 22 Sergeant Lopez, Dr. Giuffrida. All those in favor?
- 23 00:45:15 MULTIPLE
- 24 Aye, aye.
- 25 00:45:16 MARLYN ANDERSON
- 26 Okay. No opposed? So you guys have a nice day.
27 The next meeting will be in June, check your
28 calendars. Talk to you soon. Bye.
- 29 00:45:26 MULTIPLE
- 30 Thank you, goodbye.
- 31 00:45:28 KEVIN AUSTIN
- 32 Take care.