

YJSCB 02/01/23 Mtg Minutes

1 STATE OF NEW YORK CITY OF YONKERS
2 -----x
3 Minutes of The Yonkers Joint Schools Construction Board
4 40 S. Broadway, Yonkers NY - City Hall
5 February 1, 2023 - 4:00 p.m.

6 -----x

7 BOARD MEMBERS PRESENT:

- 8 MIKE SPANO, Mayor
- 9 DR. EDWIN QUEZADA
- 10 JOSEPH APICELLA
- 11 MARLYN ANDERSON, Secretary
- 12 REV. JAMES HASSELL
- 13 REV. STEVE LOPEZ
- 14 ROBERT RIJOS
- 15 RONALD MATTEN
- 16 DR. STEPHAN GIUFFRIDA
- 17 SGT. HECTOR LOPEZ

18 Other Attendees

- 19 ANTHONY LANDI, Deputy Mayor
- 20 SAVIN ENGINEERS (Kevin Austin, Joe Tola)
- 21 VINCENT VOLINO, Special Counsel
- 22 JOHN CARR, Executive Director School Facilities
- 23 KG&D Architects (Russell Davidson)
- 24 MATTHEW GALLAGHER, Corporation Counsel
- 25 connected via video conference:
- 26 JOHN LISZEWSKI, Commissioner of Finance
- 27 JAIME MCGILL, IDA
- 28 ELIZABETH JANOCHA, Deputy Commissioner of Finance
- 29 MICHAEL CURTI, Harris Beach
- 30 WILLIAM JACKSON, Hawkins
- 31 LEE PAVONE, School Facilities
- 32 MICHAEL PELLICCIO, Deputy Director School Facilities



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1 00:00:18 MARLYN ANDERSON
2 Nope, no one's there. Hi everyone, welcome to the
3 February Yonkers Joint School Construction Board
4 Meeting. Right now we'd like to start with a roll
5 call, so for all our Members, Mayor Mike Spano?
6
7 00:00:30 MAYOR MIKE SPANO
8 Here.
9
10 00:00:31 MARLYN ANDERSON
11 Doctor Quezada?
12
13 00:00:32 DR. EDWIN QUEZADA
14 Here.
15
16 00:00:33 MARLYN ANDERSON
17 Doctor Giuffrida?
18
19 00:00:34 DR. STEPHAN GIUFFRIDA
20 Here.
21
22 00:00:35 MARLYN ANDERSON
23 Robert Rijos?
24
25 00:00:35 ROBERT RIJOS
26 Here.
27
28 00:00:36 MARLYN ANDERSON
29 Sergeant Lopez?
30
31 HECTOR LOPEZ
32 Here.
33
34 MARLYN ANDERSON Reverend Lopez?
35
36 00:00:39 REV. STEVE LOPEZ
37 Here.
38
39 00:00:40 MARLYN ANDERSON
40 Joseph Apicella? James Hassell?
41
42 00:00:45 REV. JAMES HASSELL
43 Here.
44
45 00:00:45 MARLYN ANDERSON
46 Ronald Matten? So we do have a quorum, so I'm
47 going to call the meeting to order. So the next item
48 on the agenda is approval of the minutes for the
49 January 5th board meeting. Did everyone have an

50 opportunity to Would anyone like to make a
51 motion to approve the minutes?
52
53 00:01:03 DR. EDWIN QUEZADA
54 So moved.
55
56 00:01:04 MARLYN ANDERSON
57 Seconded by? Mayor Mike Spano, seconded- okay.
58 So I got- first we have approved by Doctor
59 Quezada, this is just for recording purposes,
60 seconded by Mayor Mike Spano. All in favor?
61
62 00:01:17 MULTIPLE
63 Aye, aye.
64
65 00:01:18 MARLYN ANDERSON
66 Any opposed? So, the Minutes have been
67 approved. The next item on the agenda is updates
68 for Justice Sonia Sotomayor Community School,
69 and giving me updates will be Kevin Austin from
70 Savin and Joe Tola from Savin. So, we're going to
71 start with Joe with construction updates.
72
73 00:01:36 JOE TOLA
74 Hello everybody. So since we last met, we will start
75 showing some photos again, showing the progress
76 of steel as it's being erected at the academic
77 building. Next slide. That's another view of steel
78 continuing to go up. We basically have another
79 three weeks of steel to continue. Continuous
80 shots. The frame right now is in the cafeteria area.
81 That crane will be moved in the next couple of-
82 early next week, not the next couple of days-
83 sometime next week as we start erecting the next
84 section of steel, as we begin to work our way out.
85 The picture you're looking at right now is of the
86 metal decking being placed on the 1st floor of the
87 academic building, and we're doing it on all the
88 floors with- they're jumping back and forth
89 depending on, laying things out, and where the
90 crews are working. So, one crews not working on
91 top of another one. So that is another picture of
92 the first-floor metal decking, as you can see and-
93 can you back up? In that picture, but that- when I
94 come back next time you'll see shots of the
95 concrete being placed on the- on the metal
96 decking with the sheer studs and wire mesh, and
97 any penetrations that we need to go from floor to
98 floor. Okay, this is our work along the 117 building,

1 the pile- I don't know if I mentioned it last time,
2 but since we last met, we successfully had the piles
3 removed along the 117 building. As you can see
4 that, the first photo is of the piles moved, with the
5 earth going back against 117, that was performed
6 by a (INAUDIBLE) contractor, don't remember the
7 name of the company that did that work. And after
8 we were done with that, the work was turned over
9 back to Piazza, and as you can see in the next slide
10 and the next two pictures, the footing and
11 foundation in that area has been successfully
12 placed. We have the underground footing in place
13 and some backfilling took place between our
14 foundation wall and the 117 building. So, we're
15 moving over to the community building. The slide-
16 the slide on the left is the one that we first, that
17 you first saw where the gravel was placed and we
18 got ready for the waterproofing. The slide on the
19 right, the white that you see is the actual
20 waterproofing, and... go to the next slide... That is
21 the preparation with the- all the penetrations of
22 the underground slab before we got ready to go.
23 That is in the beginning of what we call the
24 bathtub, where the entire slab and foundation
25 walls get waterproofed. The- the rebar, the wire
26 mesh that goes in place, well that's all rebar, not
27 much... The rebar as we get ready to place the
28 concrete. And another shot of the same area. The
29 actual placement of the concrete at the
30 community building. That day there was two
31 pumps, there was one near the Radford property,
32 and one on the Van Cortlandt property street, so
33 we can get that done in timely manner.

34
35 00:06:09 RUSSELL DAVIDSON
36 30 inches thick.

37
38 00:06:11 JOE TOLA
39 As Russ just said, 30 inches thick. So, it was a nice
40 placement. The next slide is, we're getting ready to
41 start the foundation walls. That's the finished
42 concrete, they took the blankets off that were on
43 and... You can see they started doing the formwork
44 around the- around the community building. All
45 the framework is up on one side, the outer side.
46 Next week starting with the rebar, then any
47 sleeves that are going through the foundation, and
48 then we'll begin closing the inner walls. Our goal is
49 to have that placed early next week. We have like

50 2 good days next week, so we're going to try to get
51 that entire foundation placed early next week.
52 Kevin will show you some actual live shots now as
53 well, we can switch to some live shots. So we can
54 actually see what's going on. This is the camera
55 that the city has mounted across the street on one
56 of the light poles. As you can see, you can see the
57 decking from floor to floor. And do you want to
58 zoom into the 117, so they can see the
59 foundations? So you see, the formwork is still up.
60 We're letting that cure for a couple of days, and
61 then we'll strip the foundation. The waterproofing
62 on the outside of that is done, and the backbone
63 has been completed. We're going to switch over to
64 the community building give you a live shot of the
65 community building. So when we placed the slab
66 at the community building, because we showed
67 up- the pump trucks showed up early. The way it's
68 set up right now, Kevin's phone and my phone
69 both go off if somebody shows up before 7:00 AM,
70 to let us know that there's people inside the
71 property. So you're under 24 hour surveillance,
72 and if something happens, our phone goes off
73 during non-work hours. During work hours, they're
74 assuming everybody's working, there's some,
75 there's some sort of provision and stuff, so. The
76 system works. So that's- you're looking at the blue
77 building is the wrapping on the property formwork
78 you see. And obviously Kevin can zoom into the
79 academic building and as you can see that. So
80 that's pretty much where we are picture-wise. We
81 had a scheduling meeting with the contractors last
82 Thursday. We didn't feel like it was a productive
83 meeting, because our schedules are showing one
84 thing, the contractor's schedule is showing another
85 thing, and in the end our scheduler was able to
86 show that the project is further along than what
87 they're showing. So there's a meeting tomorrow
88 with our scheduler and the contractor's scheduler
89 to make it- make their schedule more realistic. So
90 that's where we are with the schedule, still moving
91 along well. Next week, you'll see the foundation.
92 So if anyone has any questions, from anyone, I'd
93 be happy to answer.

94
95 00:10:25 MARLYN ANDERSON
96 Any questions for Joe? Russ?

97
98 00:10:30 RUSSELL DAVIDSON

1 Couple of other things. Obviously we're more
2 focused on the design, making sure things are built
3 correctly. We've had some problems with
4 concrete, I would say not unusual for a project for
5 this size, so, they need some repair work, we'll
6 make sure that gets done correctly. One thing you
7 might be interested in is, there's a mock up in
8 place now, of all the exterior materials, and if
9 anybody wants to stop by, they can contact Savin
10 and look at it. So these are all the final selected-
11 this is not a sample to select from, but it's really
12 mostly for workmanship, but you can see the
13 potential stone which is, um- New York State
14 Granite, it's a mine in between Lake George and
15 Lake Champlain, in upstate New York. It looks
16 really good. It's similar to the church granite, but
17 it's a little bit more gray to sort of go with the
18 building, so we think it's going to relate really well
19 to the church. You can see cast stone there and the
20 two colors of brick. It's an Endicott brick, which is a
21 very hard non-porous brick, so it doesn't need a
22 graffiti coating, so it's easy to clean. It has a lot of
23 manganese in it. And that comes from- from
24 Missouri. I also see a window in there which is
25 installed incorrectly, which is one of the reasons
26 we do a mockup, so we can get that fixed before
27 they do the actual windows. And we're still waiting
28 for the metal panels and the zinc which comprise
29 the exterior of the building, but, we think the
30 materials are pretty handsome, and you're getting
31 a really durable long term public building like this
32 building, natural metal finishes, natural masonry
33 finishes, and we're making sure the quality is good.
34 Just, back to the community building, that slab is
35 really 30 inches thick, it's really the footing for the
36 whole building. And again because that is below
37 water table it needs to be thick so it doesn't float.
38 So that's a calculation to keep it below the water
39 table. And that's why it is- It's more than just the
40 slab, it's mass footing. And you have a similar
41 situation in the academic building basement. But it
42 is starting to come together, and I'd say the shape
43 of the building, you know, it meets our
44 expectations. There's a lot of steel work going on.
45 It is, you know, we're not going to know how that
46 all came out until it's all done, but all the
47 inspections are happening. And things go wrong,
48 they get fixed. We're still continuing to help you
49 with the 117 fix. And we expect some proposals to

50 come through this Friday, so probably later next
51 week we'll be able to give you an update on those
52 costs for- for fixing 117. We have the health suite
53 out for pricing and we've started to get some of
54 that pricing back, which is not looking that great.
55 So, we may have to bid that out to other
56 contractors, if we can't get reasonable pricing from
57 this group of contractors, but that's all design, and
58 uh...

59
60

61 00:13:49 DR. EDWIN QUEZADA

62 So in terms of the scheduling. Uh, your team has
63 you on a December completion date. And they still
64 have you at a March completion date?

65

66 00:14:01 JOE TOLA

67 That is correct. They're- they're at the end of
68 March. But in the meeting that we had Thursday,
69 we were able to show them already a six-week
70 correction. So, I'll- I'll give you an example, and
71 don't hold me to it, I'm just going from- For
72 example, they had the slab that you saw placed in
73 the pictures starting and being done, two weeks
74 from now. So that's already a two week- The steel
75 placement they had it starting later as well and
76 we're- we're finishing a lot sooner. The 117 repair
77 they had that starting, and please don't hold me to
78 it because I'm just going from memory, starting
79 like February 14. And that work is done already.

80

81 00:14:52 DR. EDWIN QUEZADA

82 Okay, so I think the question for this board to
83 consider is, you know, do we plan to move in
84 January of '24, or do we plan to open the school in
85 September of '24? You know, I think my- the
86 proposal that I'm planning to present to the mayor
87 and to my board, is to open the building in January
88 of '24. Which is 11 months from now. But- but it's
89 not, it's in terms of time, we do magical things with
90 time. So I mean I don't- I'm not scared for that. But
91 this has budgetary implications for us, and we are,
92 the budget work has just begun. And to be able to
93 do budget work not knowing whether we are
94 moving into the building or not, becomes very
95 difficult. So I think the board, this board, needs to
96 at some point have that discussion and say, 'this is
97 the direction we're moving in'.

98

1 00:16:03 JOE TOLA
2 So if- if I can, make a suggestion. Before you guys
3 make that decision, if we can wait until we're done
4 with the steel, weather has been on our side, so
5 make sure that we have the slabs on each deck
6 placed before you guys make that decision
7 because then we can...
8
9 00:16:21 DR. EDWIN QUEZADA
10 Well I'm not suggesting that's a conversation for
11 today-
12
13 00:16:22 JOE TOLA
14 Yeah.
15
16 00:16:22 DR. EDWIN QUEZADA
17 I'm just suggesting that for a topic of conversation
18 at some point.
19
20 00:16:26 REV. STEVE LOPEZ
21 So what- what would that be, in your
22 guesstimation? Because we have hard- we have
23 hard stops for budget.
24
25 00:16:34 JOE TOLA
26 So, steel, I view about three weeks away for the
27 academic building. And... I think concrete,
28 depending on weather, we're starting some
29 concrete next week, so, um. Figure steel and
30 concrete sometime in March, but making sure that
31 all the concrete and all the steel is done.
32
33 00:16:58 DR. EDWIN QUEZADA
34 And when- and when you speak about completion,
35 that does not speak to having furniture in place
36 and everything, you know, that's only the building.
37
38 00:17:11 JOE TOLA
39 I say- when I say completion, for me, I'm talking
40 substantial completion and- I'm not considering-
41 Russ, Russ has got a whole bunch of other work,
42 punch list, final certificate, mockup and see, I'm
43 just, 'all right, we're missing some cold plates, we
44 can deal with that as a punch list item later on',
45 type of thing.
46
47 00:17:34 MULTIPLE
48 The last-
49 They're not suitable for- (INAUDIBLE)

50
51 00:17:37 RUSSELL DAVIDSON
52 Their last schedule showed April 1st for substantial
53 completion, which means, suitable for occupancy.
54 So we need to get it sealed from New York State,
55 we need to do inspections. And given how tight
56 the schedule is, I'm not guessing that there's going
57 to be a lot of time for you to get furniture, if
58 they're finishing this up at the eleventh hour.
59
60 00:18:09 (UNCLEAR)
61 September 20-
62
63 00:18:11 MARLYN ANDERSON
64 Yeah, I was about to say, September 2020-
65
66 00:18:12 MULTIPLE
67 One question, for, uh-
68 (INAUDIBLE)
69
70 00:18:14 DR. EDWIN QUEZADA
71 You moving some of the schedules up-
72 (INAUDIBLE) -weeks? (INAUDIBLE) -able to do any
73 other work?
74
75 00:18:18 MARLYN ANDERSON
76 Yeah. Coming soon.
77
78 00:18:19 JOE TOLA
79 Yeah, how much will be moved once the thing is
80 up. So- so for example the slab underneath the
81 community building and again, I'm just going from
82 memory, it was about three weeks out. That was
83 placed, a week ago. So now that opens up -now
84 we're doing foundation (INAUDIBLE) early, and
85 that opens up for the other trades to start working.
86
87 00:18:44 DR. EDWIN QUEZADA
88 (INAUDIBLE)
89
90 00:18:46 JOE TOLA
91 Our mechanical contractor has basically all his
92 equipment at his warehouse. Plumbing contractor
93 is the same thing. What we're hearing right now,
94 we even heard it today, roofing material may be an
95 issue and the sheeting that is applied to the
96 exterior building. But, Russ made the suggestions
97 open to other options for sheeting to the

1 contractors, so we're- we're looking at all the little
2 details.
3
4 00:19:20 RUSSELL DAVIDSON
5 Paper group insulation has been a problem
6 throughout COVID, we thought it was solved and it
7 hasn't been confirmed that we can't get it yet.
8 We're just talking about possible issues.
9
10 00:19:33 JOE TOLA
11 So for example, I know the tile we, we pushed for
12 the tile to be released a long time ago, that was
13 released, windows were released. A lot- of a lot of
14 stuff that were released.
15
16 00:19:49 MARLYN ANDERSON
17 So, Kevin, you want to turn it over to you, to talk
18 about finance?
19
20 00:20:02 KEVIN AUSTIN
21 So not too much to report for this month, because
22 all the primes were- all the primes were delayed
23 on the December submissions so, we do not rush
24 that through, if it takes us four weeks to do the
25 review, then it takes four weeks for them to
26 comply with MWBE requirements, proof of
27 payments pertaining to steel, other items... So
28 therefore, with that in mind, we only paid out the
29 professional fees during the month of January, as
30 well as one payment to Talt. So Talt was the only
31 adjustment on the primes, that went to five
32 payments, so therefore, we have only, I guess
33 made that one adjustment with the primes. But
34 the main thing on this worksheet is, this is the first
35 time you're seeing a cash on hand that reflects the
36 total of the borrowing, so at present we have \$50
37 million in the bank. So therefore, everything has
38 been consolidated. The asterisk there represents,
39 our actual statements will not be received until
40 tomorrow, so I checked the finance, that we
41 cannot report on accrued interest and other items
42 pertaining to the month of January to have an
43 actual number for January but I thought it would
44 be important for us to be able to see on the
45 financials that at present we have 50 million in the
46 bank with the second tranche, plus what we had
47 on the rollover from the first one and a balance to
48 finish of \$50 million. So basically, we're right on
49 target with regard to total construction costs,

50 based on contracts that are in hand, plus what we
51 had budgeted for items that are coming up in the
52 future, such as the furniture, security and other
53 items that are under the incidentals. So that is
54 currently where we stand. So basically our percent
55 complete is 37%, with 63% to finish. Yeah, that's all
56 I have for the financials. And you have the details
57 in the report, of course, that you can take a look
58 at.
59
60 00:22:22 MARLYN ANDERSON
61 Alright. Uh, any questions for Kevin?
62
63 00:22:25 JOSEPH APICELLA
64 Yes. Kevin, is that taking into consideration any
65 change orders that have been addressed or that
66 might be contemplated in the potential litigation?
67
68 00:22:37 KEVIN AUSTIN
69 It does not include the 350,000 that was approved
70 in January for the MEP settlement that was
71 provided. It does not include anything for the GC
72 because nothing was agreed upon. And there's no
73 additional change orders included, because this is
74 only approved and paid, basically. So therefore,
75 either based on negotiation, or two, it's
76 determined that the change order is not required,
77 it's a proposed change order, so therefore we're
78 not going to include the list of items that may be
79 proposed but are not necessary, are not valid,
80 related to even current contract, or is even needed
81 moving forward like in this case winter conditions.
82 Not too much on winter conditions. So while you
83 may make a placement for that, and there may be
84 some reconciliation, in this case, because the
85 academic building was delayed, so therefore we
86 may entertain certain items. But when it comes to
87 the community building, there's no discussion
88 pertaining to that because you've had for the
89 entire time. So this represents actual costs to date.
90 That which is proposed or projected, we really
91 haven't necessarily needed that because it's not a
92 big backlog of change orders or proposed change
93 orders in the queue, other than what's already in
94 mitigation with Piazza. Which is in this case,
95 basically it has ended for mediation number one.
96
97 00:24:06 JOSEPH APICELLA

1 I just thought that the board should be aware of
2 that fact as well-
3
4 00:24:09 KEVIN AUSTIN
5 Correct, yes.
6
7 00:24:10 JOSEPH APICELLA
8 There is this settlement we agreed on recently,
9 and you have Piazza asking for over, what is it a
10 million? What is he asking for?
11
12 00:24:19 (UNCLEAR)
13 Over \$1,000,000.
14
15 00:24:20 JOSEPH APICELLA
16 Over \$1,000,000, right.
17
18 00:24:21 KEVIN AUSTIN
19 So as you can see, the new construction
20 contingency balance you currently have as of
21 January 31st, of \$2,000,000. So you back out to
22 350, and then, if there's anything pertaining to
23 Piazza, then it's going to have a bearing on that
24 number. So, we still need to stick with what's firm,
25 and that is, we have the \$2,000,000, and at
26 present we have no large change orders such as
27 we had early on with regard to the steel, or
28 anything else for that matter. So really the only
29 large placement that we are certain of that will
30 come on the next report is the settlement of the
31 350,000.
32
33 00:25:09 MARLYN ANDERSON
34 Anything else? Any other questions? No. Okay, so
35 for the record, I just want to note that we are
36 joined by board members Ronald Matten and
37 Joseph Apicella. So the next item on the. Agenda is
38 legal. Update and that will be from Vincent Volino.
39
40 00:25:27 VINCENT VOLINO
41 Since the legal update will consist of the discussion
42 of threatened or proposed litigation, is there a
43 motion to go into executive session for that
44 purpose?
45
46 00:25:36 MAYOR MIKE SPANO
47 Make a motion.
48
49 00:25:36 MARLYN ANDERSON

50 Mayor Mike Spano, seconded by?
51
52 00:25:38
53 Second.
54
55 00:25:39 MARLYN ANDERSON
56 All in favor? So, for this part of the session, we'll be
57 moving to executive session, so we will be ending
58 the zoom, and for any other non-parties of the
59 board members, we ask that they be excused. So,
60 thank you guys.
61
62
63 AFTER EXECUTIVE SESSION....
64
65 00:01:23 MARLYN ANDERSON
66 So the next item on the agenda is Resolution 2023-
67 09 ratifying and approving agreement with
68 Martoni Construction Corps. This is the repair for
69 the crack in the building located at 117 McLean
70 Ave, Yonkers. For the work in the amount of 39
71 thousand, 4 hundred- \$39,450, would anyone like
72 to make a motion to approve the resolution?
73
74 00:01:51 ANTHONY LANDI (UNCLEAR)
75 I'd just like to- it's not- it's not to repair the crack,
76 this was to remove the piles.
77
78 00:01:55 MARLYN ANDERSON
79 To remove the piles was Martoni? So, correction,
80 to remove the piles.
81
82 00:02:00 ANTHONY LANDI
83 Cracks are still there.
84
85 00:02:03 MARLYN ANDERSON
86 Oh, we know.
87
88 00:02:04 REV. STEVE LOPEZ
89 I saw it.
90
91 00:02:07 MARLYN ANDERSON
92 Anyone like to make a motion to approve the
93 resolution?
94
95 00:02:10 ANTHONY LANDI
96 So moved.
97
98 00:02:12 MARLYN ANDERSON

YJSCB 02/01/23 Mtg Minutes

- 1 Motion by Deputy Mayor Landi, on behalf of
- 2 Mayor Mike Spano, seconded by?
- 3
- 4 00:02:18 REV. JAMES HASSELL
- 5 Reverend Hassell.
- 6
- 7 00:02:20 MARLYN ANDERSON
- 8 James Hassell, all in favor?
- 9
- 10 00:02:22 MULTIPLE
- 11 Aye, aye.
- 12
- 13 00:02:23 MARLYN ANDERSON
- 14 Any opposed? The resolution has been passed. So
- 15 if we don't have any other questions, would
- 16 anyone like to make a motion to adjourn the
- 17 meeting?
- 18
- 19 00:02:33 DR. EDWIN QUEZADA
- 20 So moved.
- 21
- 22 00:02:34 REV. STEVE LOPEZ
- 23 Second.
- 24
- 25 00:02:35 MARLYN ANDERSON
- 26 Seconded by? So moved by Doctor Quezada,
- 27 seconded by Reverend Lopez. All in favor?
- 28
- 29 00:02:40 MULTIPLE
- 30 Aye, aye.
- 31
- 32 00:02:41 MARLYN ANDERSON
- 33 Any opposed? No. So the meeting has been
- 34 adjourned. Thank you guys for coming.
- 35