



City of Newburgh Council Work Session  
*Sesión de trabajo del Concejal de la  
Ciudad de Newburgh*

*April 9, 2015*

6:00 p.m.

AGENDA

1. Reminder:

- a. A Public Hearing on Zoning will be held on April 13<sup>th</sup>, 2015

2. Presentations & Discussions/ Presentaciones:

- a. Core Initiative Presentation - CoreStat by Nora Yates
- b. Presentation on the Materna-Infant Services Network (MISM) Program by Caren Fairwether, Executive Director of MISM.

3. Engineering /Ingeniería:

a. Resolution No. ( )-2015

A resolution of the City Council of the City of Newburgh determining that the proposed City Sanitary Sewer Illicit Discharge Identification Study is a Type II action under the State Environmental Quality Review Act (SEQRA) and will not have a significant adverse impact on the environment.

b. Resolution No. ( )-2015

A resolution authorizing the City Manager to accept a proposal and execute an agreement with Greeman-Pedersen, Inc. for Professional Design Services related to the final design of the South Street Waterfront Park in an amount not to exceed \$50,156.00.

c. Resolution No. ( )- 2015

A resolution authorizing the City Manager to accept a proposal and execute an agreement with the Chazen Companies for the structural evaluation of vacant buildings at a cost not to exceed \$15,000.00.

d. Resolution No. ( ) – 2015

A resolution of the City Council of the City of Newburgh supporting cooperation between the City of Newburgh and Cornell University to pursue a research program through the National Science Foundation to be undertaken by Cornell University to develop a theory of interdependent critical infrastructure systems.

4. Water Department:

a. Resolution No. ( )-2015

A resolution amending Resolution No: 296 - 2014, the 2015 budget for the City of Newburgh, New York to transfer \$95,000.00 from Water Fund Contingency to water distribution to cover the costs of repairs associated with water main breaks at various locations throughout the City.

5. Planning and Economic Development/Desarrollo Económico y Planificación

a. Resolution No. ( )- 2015

A resolution authorizing the transfer of real property to the Newburgh Community Landbank (5).

b. Resolution No. ( )-2015

A resolution authorizing the transfer of real property to the Newburgh Community Landbank (4).

c. Resolution No. ( )-2015

A resolution authorizing the execution of a release of restrictive covenants and right of re-entry from a deed issued to Michael Thomas to the premises known as 150 Ann Street (Section 36, Block 2, Lot 14).

d. Resolution No. ( )-2015

A resolution amending Resolution No. 39-2015 of March 9, 2015 authorizing to authorize an amendment to the terms of sale and an extension of time to close title on the conveyance of real property known as 72 Lander Street (Section 23, Block 7, Lot 6), 76 Lander Street (Section 23, Block 2, Lot 12), 78 Lander Street (Section 23, Block 2, Lot 11), 82 Lander Street (Section 23, Block 2, Lot 9) and 84 Lander Street (Section 23, Block 2, Lot 8) at private sale to Jeffery Mckean D/B/A Mckean Architecture for the amount of \$20,000.00.

e. Resolution No. ( )-2015

A resolution authorizing the City Manager to execute a fifty year extension to the management agreement between the City of Newburgh and the Newburgh Armory Unity Center, Inc.

6. Grants/Contracts and Agreements / *Becas / Contratos y Convenios*

a. Resolution No. ( )-2015

A resolution authorizing the City Manager to apply for and accept if awarded a grant from the State of New York Department of Criminal Justice Services under the Gun Involved Violence Elimination (“GIVE”) Partnership to enhance law enforcement in the City of Newburgh to achieve sustained, long-term crime reduction in an amount not to exceed \$431,231.00 with no City match.

b. Resolution No. ( )-2015

Resolution authorizing the City Manager to execute an extension until December 31, 2015 to the First Amended Agreement of Lease with Memorare Realty Holding Corp. for the continued lease of approximately 3.65 acres of vacant real property known as Section 31, Block 5, Lots 13.2 and 14 for the purpose of providing parking for users of the Newburgh-Beacon Ferry and other parkers during non-commuting hours.

7. Recreation:

a. Resolution No. ( )-2015

A resolution authorizing the City Manager to apply for and accept if awarded a Youth Development Program Grant from the Orange County Youth Bureau in the amount of \$13,320.00 requiring no City match for the Recreation Department to hire vendors for the City of Newburgh Annual Summer Camp.

b. Resolution No. ( )-2015

A resolution authorizing the City Manager to accept twentyfive (25) life guard vests from the Sea Tow Foundation for use during the upcoming fishing season at Brown’s Pond and the Newburgh Boat Launch.

8. Employment and Human Resource Issues

a. Resolution No. ( )-2015

A Resolution to remove the “Have You Been Convicted of a Crime” question from the City of Newburgh application for employment form.

9. Old Business/Discussion:

a. Resolution No. ( )-2015

A resolution of the City Council of the City of Newburgh supporting establishment of the Newburgh Jobs Development Initiative.

b. Resolution No. ( )-2015

A resolution scheduling a Public hearing for April 27, 2015 to hear public comment concerning a Local Law amending City Charter Section C5.05 entitled "Duties of City Manager" of the Code of the City of Newburgh

c. Local Law No. ( )-2015

A Local Law amending City Charter Section C5.05 entitled "Duties of City Manager" to provide for City Council confirmation of certain City Manager appointments of the Code of the City of Newburgh.

10. Discussion Items:

- a. An ordinance rescinding the language contained in Chapter 34, Article III of the Code of the City of Newburgh entitled "Sexual Harassment Policy" and amending same by substituting therefor a new Chapter 34, Article II entitled "Equal Employment Opportunity and Anti-Harassment Policy"
- b. A resolution authorizing the City Manager to accept donations in support of the City of Newburgh's Annual Memorial Day and Fourth of July observances, National Night Out, the Annual International Festival, the Halloween Event for 2015
- c. 68 Campbell Street Property  
282 Fullerton Property
- d. Use of speed bumps to control traffic
- e. No Parking on the east side of Grand St. from First St. to the Mason Building.
- f. The cost benefit analysis on fixing potholes:
  - Cold patches vs. hot patch
  - Short term vs. long term durability
- g. Curfew

11. Executive Session

- a. Pending Litigation
- b. Collective Bargaining

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH  
DETERMINING THAT THE PROPOSED CITY SANITARY SEWER ILLICIT  
DISCHARGE IDENTIFICATION STUDY IS A TYPE II ACTION UNDER THE STATE  
ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) AND WILL NOT HAVE A  
SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

**WHEREAS**, on June 9, 2014 through resolution 153-2014 the City Council authorized Barton & Loguidice, D.P.C. to submit a planning grant through the consolidated funding application process to apply for and accept an award in an amount up to \$30,000; and

**WHEREAS**, Barton & Loguidice D.P.C. prepared and submitted the Wastewater Infrastructure Engineering Planning Grant (EPG) application to the New York State Department of Environmental Conservation/Environmental Facilities Corporation through the consolidated funding application process at no cost to the City; and

**WHEREAS**, on December 11, 2014, the Governor announced that the City was awarded a \$27,480 EPG administered by the New York State Environmental Facilities Corporation (NYSEFC) for the commissioning of a Sanitary Sewer Illicit Discharge Identification Study (the "Project"); and

**WHEREAS**, the City has been notified of the award of a \$27,480 EPG by the New NYSEFC for the commissioning of the Project; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, as amended, and the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations at 6 NYCRR Part 617 (the "Regulations"), the City desires to comply with SEQRA and the Regulations with respect to the project; and

**WHEREAS**, 6 NYCRR Section 617.5(c) provides that certain actions are not subject to environmental review under the Environmental Conservation Law; and

**WHEREAS**, the New York State Office of Parks, Recreation and Historic Preservation reviewed the Project in accordance with the New York State Historic Preservation Act of 1980 and issued an opinion that the Project will have no impact upon archaeological and/or historical resources listed in or eligible for the New York State and National Registers of Historic Places;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Newburgh, New York, hereby determines that the proposed Sanitary Sewer Illicit Discharge Identification Study is a Type II action in accordance with 6 NYCRR Section 617.5(c)(18) and (21) which constitutes an engineering study and is therefore not subject to review under 6 NYCRR Part 617.

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ACCEPT A PROPOSAL AND EXECUTE AN AGREEMENT WITH  
GREEMAN-PEDERSEN, INC. FOR PROFESSIONAL DESIGN SERVICES RELATED  
TO THE FINAL DESIGN OF THE SOUTH STREET WATERFRONT PARK  
IN AN AMOUNT NOT TO EXCEED \$50,156.00**

**WHEREAS**, the City of Newburgh has issued a Request for Proposals (“RFP”) No. 1.15 for Professional Design Services related to the South Street Waterfront Park Design; and

**WHEREAS**, the City of Newburgh received nine (9) responses to the RFP, and after review, the City of Newburgh wishes to accept a proposal and execute an agreement with Greenman-Pedersen, Inc. (GPI) for professional design services related to the final design of the South Street Waterfront Park; and

**WHEREAS**, the object of the contract is to aid the City of Newburgh in the development of the South Street Waterfront Park located at terminus of the improved roadway section of Front Street; and

**WHEREAS**, the main tasks for the project include the Schematic Design Phase, the Preliminary Design Phase, and the Final Design Phase which are outlined in the proposal; and

**WHEREAS**, the cost for these services will be an amount not to exceed \$50,156.00 with 50% of the funding derived from a Newburgh Waterfront Public Access Improvements Grant from the Department of State (State Assistance Contract No. C06953) with a required 50% local match to be derived from H1.5112.0208.5102.2010; and

**WHEREAS**, the City Council has reviewed the annexed proposal and has determined that such work would be in the best interests of the City of Newburgh;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a proposal and execute an agreement with Greenman-Pedersen, Inc. (GPI) for professional design services related to the final design of the South Street Waterfront Park.

# **GPI** Greenman-Pedersen, Inc.

Engineering and Construction Services

February 25, 2015

Mr. John J. Aber  
City of Newburgh, City Hall  
Office of the Comptroller  
83 Broadway, Fourth Floor  
Newburgh, NY 12550

**RE: REQUEST FOR PROPOSALS • Professional Design Services  
RFP No. 1.15; South Street Waterfront Park Final Design, City of Newburgh, NY**

Dear Mr. Aber:

**GPI/Greenman-Pedersen, Inc.** is pleased to submit our Proposal for the City of Newburgh's South Street Waterfront Park Project and is very interested in performing the professional Landscape Architectural Design, planning, engineering and permitting services required by the City of Newburgh.

This Proposal outlines our Team's experience and qualifications for working on this project. We are confident that the GPI Team is the most qualified consultant for this project.

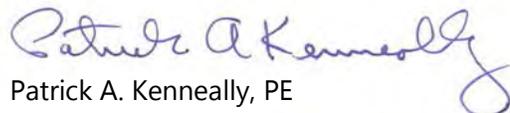
GPI's proposed Principal-in-Charge and QA/QC, Mr. Fred Mastroianni, PE, will be responsible for the overall management of GPI staff and resources. GPI's proposed Project Manager, Mr. John Montagne, RLA, AICP, LEED®AP, will oversee all aspects of the project from the Schematic phase through to final completion of services. Mr. Montagne is a seasoned professional Landscape Architect and AICP Certified Planner fully versed in design and permitting including permitting within Waters of the US, NYSSEQRA and NYSDOS compliance. Detailed descriptions of the balance of our staff members, including resumes, are included in the proposal.

GPI appreciates the opportunity to submit our Proposal, and we hope it clearly reflects our ability and enthusiasm to perform the work required for this contract. As requested, four hard copies and one digital copy of our Proposal are enclosed for your review and consideration along with our Non-Collusive Bidding Affidavit and Acknowledgement of Addendum No. 1 form.

Our staff members are available to start work on your exciting project upon contract execution and we hope this proposal demonstrates our Team's ability and enthusiasm to perform this work for the City of Newburgh. As the Albany Branch Manager and Senior Vice President with the company, I am authorized to make representations on behalf of Greenman-Pedersen, Inc. and to bind the firm. Thank you for your consideration.

Sincerely,

**GPI/Greenman-Pedersen, Inc.**



Patrick A. Kenneally, PE  
Senior Vice President | Branch Manager

Form 'A'  
Acknowledgement of Addendum No. 1

Request for Proposal (RFP)  
RFP No. 1.15  
for  
Professional Design Services  
related to the  
South Street Waterfront Park Final Design

I, Fred Mastroianni, acknowledge receipt of the above-referenced Addendum dated Thursday, February 19, 2015 and agree that he/she is bound by all Addenda, whether or not listed herein, and has taken the information contained therein into consideration in preparing our response to the above Proposal.

By:  Date: 02/23/15  
Signature of Proposer (in blue ink)

Fred Mastroianni

Name of Proposer

GPI/Greenman-Pedersen, Inc.

Proposer's Business Name

*This page shall be submitted in original form as the first page of the Proposal.*

*Failure to submit Form 'A' will result in disqualification and rejection of Proposal.*



**Greenman-Pedersen, Inc.**

Engineering and Construction Services



## Proposal

February 25, 2015, 4:00PM

### **REQUEST FOR PROPOSALS • Professional Design Services RFP No. 1.15; South Street Waterfront Park Final Design, City of Newburgh, NY**



# **Table of Contents**

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*Transmittal Letter*  
*Form A*  
*Cover*  
*Table of Contents*

**SECTION 1** | ..... ***Firm Overview***

**SECTION 2** | ..... ***Project Staffing/Individual Experience***

**SECTION 3** | ..... ***Project Experience Portfolio***

**SECTION 4** | ..... ***Project Understanding & Approach***  
***Staff Availability & Project Schedule***

**SECTION 5** | ..... ***Insurance Statement***

**SECTION 6** | ..... ***Cost Proposal***

**SECTION 7** | ..... ***Required Form***  
• *Non-Collusive Bidding Affidavit*



# **SECTION 1.**

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## **Firm Overview**

## Firm Overview

**GPI/Greenman-Pedersen, Inc.** welcomes the opportunity to serve the City of Newburgh, and we hope that our proposal reflects our intention to provide the City with the most qualified personnel available. **GPI** has a strong history of providing comprehensive professional design services, similar to the services required for the **South Street Waterfront Park Final Design** in the City of Newburgh, NY.



**GPI** is a multi-discipline engineering firm that has been providing professional design and project management services to the public and private sectors throughout the eastern United States for nearly 50 years. Established in 1966 by founders A. Beecher Greenman and Herbert M. Pedersen, **GPI** provides consulting engineering, planning, survey, mapping, and construction management and inspection services specializing in the innovative development, design and construction of infrastructure and building systems.



Our values of teamwork, quality and commitment are the key elements for our growth and continued success. With a current staff of 1,100+ people and twenty branch offices throughout the eastern United States, **GPI** is able to provide the right person or team for each client's specific assignment. Many of our professional staff hold advanced degrees, and a high percentage are professional engineers and surveyors and registered planners and landscape architects, licensed to practice in many states.

Our Albany office is the seat of excellence for our bridge design capabilities. We maintain a permanent staff of 100+ professionals (engineers, scientists, technicians, draftspersons, and inspectors) specializing in bridge and highway design, and construction inspection.

Expertise we have available in Albany to fully support bridge work includes:

- ✓ *Land Development*
- ✓ *Civil / Site Engineering*
- ✓ *Structural Engineering*
- ✓ *Bridge Inspection and Maintenance*
- ✓ *Landscape Architecture*
- ✓ *Environmental Science*
- ✓ *Metals Engineering*
- ✓ *Coating Systems (Paint) Engineering*
- ✓ *Geotechnical Engineering*
- ✓ *Hydrology and Hydraulics*
- ✓ *Transportation Engineering*
- ✓ *Traffic Engineering and Planning*
- ✓ *CADD*
- ✓ *Construction Inspection*
- ✓ *M-E-P-FP Engineering*
- ✓ *Industrial Health and Safety*

With this large and diverse engineering talent, the **GPI** organization is able to commit the necessary resources for the engineering services required by the City of Newburgh, and react to all your needs in an efficient and responsive manner. Our Albany office is flexible

**REQUEST FOR PROPOSALS • Professional Design Services**  
**RFP No. 1.15; South Street Waterfront Park Final Design, City of Newburgh, NY**

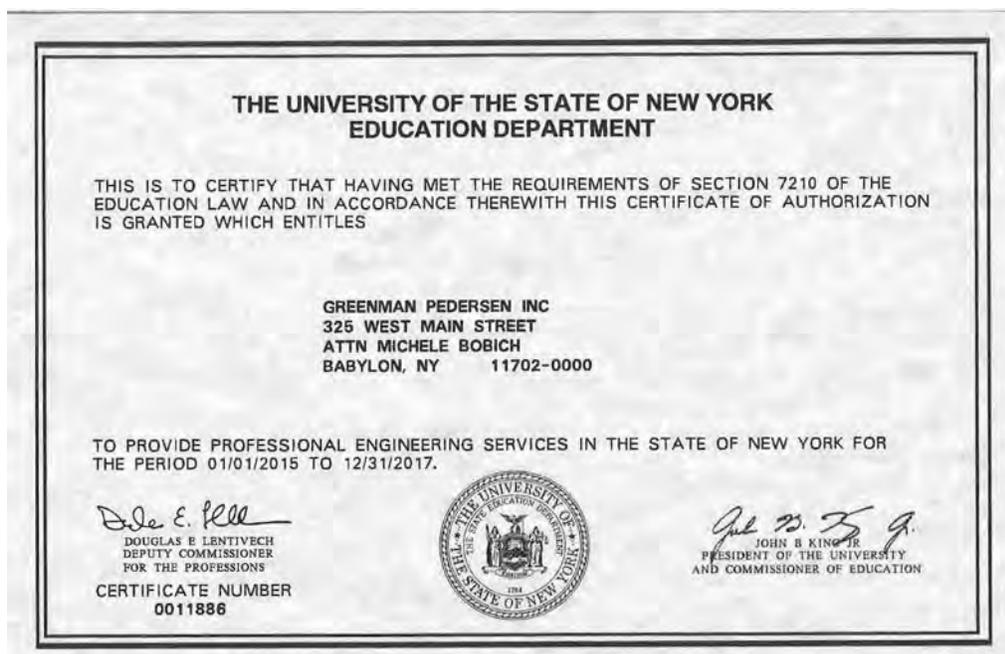
and readily responsive to your needs, and maintains all the technical resources needed for these types of assignments.

**GPI** provides services to a wide variety of government agencies, municipalities, institutions, industries, architects and developers. We attribute our long-lasting relationships with our clients to the talented, responsive, service-oriented professionals employed throughout the **GPI** organization. It is our people that set us apart from other consultants and is what truly makes this company unique.

We take pride in the many projects we have successfully completed and enjoy the challenge of new and difficult engineering issues requiring innovative, yet practical, cost-effective solutions. Our firm's commitment to provide quality engineering services and to work as a team with our clients is the reason they continue to turn to GPI for engineering solutions. **GPI** has relied upon the reputation and combined experience of its officers and staff to successfully handle projects ranging in size and complexity. **GPI** has grown to a corporation that is currently ranked 66 of Engineering News Record's "Top 100 National Design Firms". In addition, **GPI** has been named one of the "Top 25 Engineering Firms to Work For" by Civil Engineering magazine, and has been named consecutively a Time's Union Top Workplace in the Capital Region for the last several years.



This Proposal outlines our Team's experience and qualifications, understanding of the Scope of Services, and our overall approach for this project. We closely evaluated the best available candidates for key leadership and technical roles for your project. Each of the professionals selected has proven their abilities on other projects.



*GPI's license to perform professional engineering services in the State of New York.*

## **SECTION 2.**

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### **Project Staffing/Individual Experience**

## **Project Staffing | Individual Experience**

The three basic fundamentals of managing any project are: 1) Managing the work and the organization, 2) Managing people, and 3) Managing production. We have established a leadership team to carry out these three fundamentals.

Our leadership consists of a Project Manager who will be directly involved with the City on all activities. This individual has a wealth of experience successfully managing organizations and projects. We have assigned engineers with specific and relevant expertise on all facets of civil engineering. These individuals will assist the Project Manager, as needed, depending upon the specific project requirements.

We offer the City specialized services, expertise and exceptional resources. **GPI** is a full service engineering firm with 1,100+ engineers and technicians to serve your clients with the highest level of quality and satisfaction. Our staff has earned a reputation for outstanding service with an exceptional full service support staff and field management that is highly experienced with the technical and managerial details of the type of work to be performed.

**GPI** has a record of quick response and has the resources to meet project schedules. The **GPI** staff, as indicated in the attached personnel profiles, shows our commitment to provide experienced personnel, as needed. Our staff includes professionals who have experience working for towns, cities, counties, state agencies and private clients, so we have the unique ability to view projects from your perspective and respond accordingly. We will provide the appropriate project required expertise.

**Mr. John Montagne, RLA, AICP, LEED®AP, Project Manager**, is an accomplished Landscape Architect, AICP Certified Planner and LEED® Accredited Professional with extensive experience in landscape architecture, planning, environmental review and land development. He is a solid senior manager with a proven track record of completing projects on or under budget and on time. He is a strong leader with the ability to create cohesiveness within teams, possessing motivational skills to drive results in team and individual staff performance. He has a proven ability to build strong relationships using negotiation talent, persuasion, and demonstrated commitment. He is an effective decision-maker and problem-solver who successfully built a regional office practice for an ENR 400 firm, organized and managed numerous multi-million-dollar projects in a diverse range of high end, often controversial projects. His Landscape Architectural design and planning experience includes riverfront developments, streetscape improvement projects, parks design, infrastructure management systems, wetlands mitigation design and permitting, visual and noise impact analysis/mitigation and NEPA/SEQRA work.

**Mr. Fred Mastroianni, PE**, Vice President of the Albany office, will be the **Principal-in-Charge**. He will provide the project team with the financial and technical resources to successfully complete this project.



## **REQUEST FOR PROPOSALS • Professional Engineering Services**

### **Waterfront Pedestrian Bridge Pilaster Netting Project, Albany, New York**

He has nearly 30 years of experience in civil engineering, of which 20+ years has been managing projects. Mr. Mastroianni will assure the project stays on scope, consultant deadlines are met and costs stay within budget. He will coordinate with the GPI team and the City as needed to ensure that the work is being conducted in an efficient and cost effective manner, and meeting all applicable design standards and code requirements. He will also perform **QA/QC** of project design work and will conduct an independent review of the design plans and specifications for accuracy and completeness.

**Mr. Ryan Trunko, PE, Project Engineer**, has 8+ years of experience in civil engineering design. His experience encompasses site development, highway transportation projects, dam design projects, stormwater management systems and environmental permitting. Mr. Trunko excels in site development and has extensive experience preparing preliminary and final design reports, detailed construction plans, Stormwater Pollution Prevention Plans, Erosion & Sediment Control, drainage analysis and design, and providing construction management services. Technical skills include AutoCAD Civil 3D, MicroStation, HydroCAD, and ArcGIS.

**Ms. Jennifer Wesolowski, PE, Civil Engineer**, has 16+ years of experience, and her work involves a range of projects, from the design and coordination of river bank revetments, bridge abutments, highways and municipal infrastructure, hydrologic and hydraulic modeling of dam structures, to drainage design for urban plazas. Ms. Wesolowski is skilled in drainage design, stormwater management planning and has prepared hydrologic and hydraulic studies for permitting as well as bridge and culvert sizing. She has strong knowledge of HEC-HMS, HEC-RAS, HY-8, HydroCad and TR-55 water modeling programs. She served as a designer on both concrete and steel bridge projects and worked in conjunction on such projects with the New York State Historic Preservation Office. Her experience also includes highway reconstruction and rehabilitation design and its related aspects. Additionally, she has experience in the design process for locally administered federal aid projects including all aspects of data collection, report preparation, permit applications, public participation, as well as preliminary and final design tasks.

**Mr. Kurt Weiskotten, Environmental Scientist**, has 22+ years of experience as an Environmental Specialist. His experience includes conducting environmental reviews and screenings for both state and federal aid projects, including NEPA, SEQRA, state and federal wetlands, protection of waters, ecology and endangered species, vegetation management, invasive species control and management, and cultural resources. He has also managed and supervised staff in conducting numerous environmental screenings and project reviews and processing. He has coordinated with various agencies that included NYSDEC, USACE, USFWS, and NYSOPRHP - SHPO in preparing and obtaining all necessary permits needed for various projects. He is proficient in developing erosion and sediment control plans and in using GPS and GIS to screen and plan for environmental resource impacts. Beyond development planning and environmental processing, he has extensive field experience in wetlands, wildlife, and natural history. His specialties include bird identification and biology, insect ecology, wildlife issues, plant identification, habitat management, wetland ecology and dynamics, wetland delineation, wetland mitigation design, and environmental teaching and training, among others.

*A personnel profile for each of these individuals is included in the subsequent pages.*

# John Montagne, RLA, AICP, LEED® AP

## Assistant Vice President/Director of Land Development

### Professional Profile

Mr. Montagne is an accomplished Landscape Architect, AICP Certified Planner and LEED® Accredited Professional with extensive experience in landscape architecture, planning, environmental review and land development. He is a solid senior manager with a proven track record of completing projects on or under budget and on time. He is a strong leader with the ability to create cohesiveness within teams, possessing motivational skills to drive results in team and individual staff performance. He has a proven ability to build strong relationships using negotiation talent, persuasion, and demonstrated commitment. He is an effective decision-maker and problem-solver who successfully built a regional office practice for an ENR 400 firm, organized and managed numerous multi-million-dollar projects in a diverse range of high end, often controversial projects. His Landscape Architectural design and planning experience includes riverfront developments, streetscape improvement projects, parks design, infrastructure management systems, wetlands mitigation design and permitting, visual and noise impact analysis/mitigation and NEPA/SEQRA work.

### Project Experience

**Greenman-Pedersen, Inc.** 10/12+. Assistant Vice President, Director of Land Development.

*Current Assignment:* **Halfmoon Village and Yacht Club-Condominium/Apartment Riverfront Community.** 2012+.



Project Manager Lead Designer. 01/12+. This project has reached

Planned Development District level approval and is now positioned for Phase 1 site plan approval and construction. The project consists of 240 residential units located within multiple buildings, a community clubhouse for residents, mooring facilities including approximately 75 boat slips, courtyard areas, boardwalk and pedestrian trails and associated infrastructure. The project also includes a proposal to establish a public

park with an observation pier and parking facilities during the second phase of construction. Mr. Montagne coordinated all site design, permitting for dredging, boat slips, wetlands mitigation, SEQRA Environmental Impact Statement, Visual simulations, and land use zoning amendments. Phase 1 site plan approval is anticipated in the fall of 2015 with construction starting shortly thereafter. *Client: Halfmoon Beach Properties, LLC, Gail M. Krause, President, (518) 588-7342.*

*Current Assignment:* **St. Peter's Health Partners (SPHP)-Troy MFP Implementation Project.** 2013+. Project Manager/Designer. 01/13+. This \$98M project is the largest phase in the Strategic Facilities Master Plan implementation for the St. Peter's Health Partners, Samaritan Hospital of Troy, NY improvements. The project includes the development of a new 150,000-ft<sup>2</sup> pavilion that will house a new ER, additional surgery space and a patient room tower. A 500-space parking garage is currently in construction and planned to open early summer 2015 completing the first phase of a multi-year staged construction. Responsible for all site design and engineering, utility upgrades and modifications, City site plan approval, variance applications and SEQRA compliance. Work also includes site lighting, campus security configuration, landscape improvements and connection to the city's bus shelter. *Client: Freeman White Architects, Chris D. Richardson, AIA, Principal, (704) 523-2230.*

### Proposed Project Assignment

Senior Project Manager/Lead Designer

### Education

1988/MS/Landscape Architecture/SUNY College of Environmental Science & Forestry and Syracuse University  
1985/BS/Landscape Architecture/State University of Kentucky

### Registrations/Certifications

Registered Landscape Architect, CT, LAR.717, 1993  
Registered Landscape Architect, NY, 001245-1, 1990  
Certified Planner, American Institute of Certified Planners #073605  
Council of Landscape Architectural Registration Boards #1654  
Leadership in Energy and Environmental Design - LEED® AP 2009  
Graduate PSMJ Project Management Boot Camp, Fall 2010

### Professional Affiliations

American Planning Association  
American Society of Landscape Architects

**Total Years' Experience** 29

# John Montagne, RLA, AICP, LEED® AP

## Assistant Vice President/Director of Land Development

*Current Assignment: **Burnt Hills-Ballston Lake CSD.** 08/13+. Project Manager/Designer. Responsible for assisting the District with the completion of the SEQRA review process and will be the site/civil engineers for the project for all non-athletic based exterior improvements including new bus staging areas, parent drop off's, teacher and staff parking, event based parking and related infrastructure and utility upgrades and modifications. Also, responsible for traffic and flow improvements at the O'Rourke Middle School and the Steven's Elementary School. The work at the O'Rourke middle school includes a full reconstruction and reconfiguration of the main parking lot with the addition of a new Parent drop off loop, modified parking configuration, improvements to green space and related stormwater management upgrades. The work at the Steven's Elementary School includes the creation of a new segregated parent drop off loop, new interconnecting covered walkway and sidewalk system, overflow parking and multi-use paved play area, removal of an outdated maintenance building and improvements to the teacher parking lot. Associated stormwater management and utility modifications will be integrated into the project. *Client: Michael Fanning, Mosaic Associates, Architects, (518) 479-4000 x419**

*Current Assignment: **Grasmere County Inn. Town of Rhinebeck, NY.** 12/12+. Project Manager/Principal SEQRA Planner/Designer. As Prime Consultant, GPI worked with the applicant on all phases of the project starting with Site Plan and Special Use permit application, completion of technical studies including a Traffic Impact Study; Noise Impact Analysis; Wetlands Impacts Assessment; Water Supply investigation; Wastewater conveyance, treatment and discharge investigation; Master Storm Water Management investigation; Completion of a NYSEQRA GEIS and findings; coordination of Archaeological investigations; coordination of ETR study and wetlands delineation; and completion of preliminary engineered site plans for use in the Special Use Permit application process. *Client: Great Jones Asset Management; Contact: Jonathan Mensch, (845) 876-2064**

### *Prior Firm Experience*

#### **The Chazen Companies, Corporate Office Poughkeepsie, NY and Regional Office Troy, NY.**

**Vice President Land Development Services.** 1995-2012.

Senior manager with companywide responsibility for the strategy, planning, operations and financial results of the company's Land Development offerings.

#### **C. T. Male Associates, P.C., Corporate Office Latham, NY.**

Senior Project Manager 1993-1995

Department Head Planning & GIS Services 1992-1993

Project Manager and Designer 1988-1992

#### **Obrist and Appel Landscape Architects - Syracuse, NY.**

Project Manager 1987-1988

Landscape Architect Designer 1985-1987

### *Representative Prior Project Experience*

**Hudson Harbor Mixed-use TND, Village of Tarrytown, NY.** This project included the redevelopment of a 24-acre brownfield site located along the Hudson River waterfront in the Village of Tarrytown. Assisted the design team in the design, visioning and SEQRA level planning for the project. Key design components included the revitalization of the waterfront incorporating a sound balance between public and private spaces, designing a historically sensitive development density and a mix of uses into an integrated walkable community.

The project included 247 residential units 80,000-ft<sup>2</sup> of professional/commercial office space and 20,000-ft<sup>2</sup> of restaurant/retail space all focused around central greens and a pedestrian friendly main street. The project included over 10 acres of public/private open space and a 2.5-acre waterfront park.



**Fresh Meadows, Plaza, Fresh Meadows (Queens), NY.** Project Manager and lead Landscape Architect of this urban reconstruction project. This project included re-design for extensive improvements of two urban pocket parks along with streetscape improvements for redevelopment of the commercial core of Fresh Meadows, Long Island, New York. Services included design and detailing for a main focal park enclosed on two sides by retail stores

# John Montagne, RLA, AICP, LEED® AP

## Assistant Vice President/Director of Land Development

and a secondary pocket park that functioned as a linkage between two distinct portions of this urban core area. The design and detailing included large landscape seating wall planters, configuration of out-door gathering and dining spaces, alley treatments, sidewalk streetscape improvements, a full irrigation system design, landscape plant material specification, pavement treatments and site detailing. Coordination with the New York City Parks and Recreation Department was also critical to the success of this project.

### **Verkerderkill and Galeville Town Parks, Town of Shawangunk, NY.**

2004-2008. Principal-in-charge and senior project to the Town of Shawangunk for development of two municipal parks. The first park, known as the Galeville Park was once part of a historic World War II Auxiliary Airport. The Galeville Park design reflects on the historic qualities associated with the original Hamlet of Galeville while also playing up on a theme reflective of the sites World War II Auxiliary Airport history. This park included multiple soccer fields, two regulation size baseball fields, a little league size baseball field and one multipurpose field for use as a football field; overflow soccer field and general activity area. A community center is planned for the park along with future tennis courts, basketball courts and two children's playgrounds. A multi-tiered trail network was designed and constructed and includes a paved ADA compliant main trail loop with secondary and tertiary gravel and soil walking and hiking trails strategically located through the natural wooded portions of the property. Raised boardwalks were designed for crossing of on-site ACOE regulated wetlands.



### **Rondout Creek Yacht Basin and Marina, Town of Esopus, NY – 2000,**

Developed the Master Plan for site improvements and expansion of facilities to accommodate new floating dock boat slips. Coordinated application for and obtained Federal, New York State, and Local approvals/permits in connection with this project: Army Corps of Engineers - Section 10 Individual Permit; New York State Department of Environmental Conservation (NYSDEC) - Protection of Waters Permit (Article 15) and Section 401 Water Quality Certification; New York State Department of State (NYSDOS) - Federal Consistency Assessment; New York State Office of General Services (NYSOGS) - License/permit to extend into waters of the State of New York; Town of Esopus Planning Board – State Environmental Quality Review (SEQR) approval.



### **Sailor's Cove, Kingston, New York - 2001**

Provided design and environmental review services for a proposed mixed use development project on the City of Kingston's Hudson River waterfront. The project consisted of 350 units of housing, 200,000 square feet of commercial/office development spaces, a marina, and a variety of recreational amenities, including a waterfront trail and boat docks in a neo-traditional neighborhood development approach. Coordinated a team of landscape architects, planners, environmental scientists and engineers to foster a design that meet both town and developer expectations. The waterfront development included remediation and redevelopment of a former brickyard manufacturing plant with the project being closely scrutinized by Scenic Hudson due to its prominence along the Hudson River.



# Fred Mastroianni, P.E.

## Vice President

### Professional Profile

Mr. Mastroianni has 29+ years of experience in the engineering industry, having both designed and managed numerous engineering projects that include highways, bridges, multi-use trails, and pedestrian and bicycle facilities and site design. He has prepared and been responsible for the development of preliminary plans, environmental assessments, final design plans, construction bid documents, and provided construction support and inspection services. He has conducted independent quality control reviews of design plans, specifications and engineer's estimate for all types of infrastructure projects. In addition, his responsibilities include staff development, business development/marketing support, project management including planning, directing, and monitoring of projects from concept through final design, management of sub consultants and technical support staff.

### Proposed Project Assignment

Principal-in-Charge, Project QA Engineer

### Registration/Certifications

2000/Professional Engineer/NY

### Education

BSCE/1985/Civil Engineering  
AAS/1979/Civil Technology

**Total Years Experience** 29

### Project Experience

**Sheridan Hollow Pedestrian and Streetscape Improvements (PIN 1757.95), City of Albany, Albany County, NY.** 2013-2014. Principal-in-Charge/Project Director. For this Locally Administered Federal Aid Project, he managed the project design team and provided QA/QC with respect to the preliminary and final design plans, specifications, cost estimate and construction bid documents. This project replaces the current deteriorated sidewalks with a new and improved pedestrian access facility that would meet current ADA accessibility standards and thus improve pedestrian access and safety. This project included new concrete sidewalks, curbing, signs and high-visibility crosswalks. *Client: City of Albany, NY*

*Current Assignment:* **Hydrologic and Hydraulic Study, Johnstown, NY.** 10/14+. Principal-in-Charge/Project Director. This project involves the preparation of inclusive Hydrologic and Hydraulic studies of four creeks and their watersheds to determine possible solutions to rectify the flooding issues along these reaches within the City. The studies will focus on areas where the creeks cross City infrastructure through culverts and bridges in order to recommend solutions for reducing or eliminating flooding impacts. This will also include preliminary cost estimates of each of the recommendations. In addition, the work will also include a study of the catchment areas attributing to accumulated surface runoff in the area of Glebe Street School and St. Mary's Healthcare facility programming area. The four waterbodies are Comrie Creek, Hale Creek, Hall Creek and Caleb Creek. Mr. Mastroianni will manage the project design team and provided QA/QC with respect to the preliminary and final design plans, specifications, cost estimate and construction bid documents. *Client: City of Johnstown, Contact: Chandra Cotter, (518) 736-4014, ccotter@cityofjohnstown.ny.gov*

*Current Assignment:* **Asset Management and Preservation of Bridge in the A/GFTC Planning and Program Area.** 09/14+. Principal-in-Charge/Project Director. Responsible for development of bridge work prioritization programming for the locally owned bridges within the A/GFTC planning and programming area. GPI will be responsible for the formulation of bridge management and preservation plans for use in evaluating the needs of each locally-owned bridge in the network and to assist the Counties and MPO in developing candidates for capital funding for repairs, ranging from element-specific work to major rehabilitation and replacement. GPI will consider the costs and benefits of bridge preservation and maintenance activities compared to more extensive repairs and replacements. The bridge asset management plans will identify a recommended prioritization strategy designed to maximize the impact of limited bridge funding on system longevity and regional mobility. In order to determine the optimum timing, sequence and scope of each recommended activity within the program, GPI will interpret the bridge inspection reports and the application of anticipated deterioration rates of individual bridge components to their existing conditions. *Client: Lake Champlain-Lake George Regional Planning Board; Contact: Adirondack/Glens Falls Transportation Council- Aaron Frankenfeld, (518) 223-0086, afrankenfeld@agftc.org*

*Current Assignment:* **Route 9 Corridor Improvements (PIN 1759.67) Town of Lake George, Warren County, NY.**

## Fred Mastroianni, P.E. Vice President

2014+. Principal-in-Charge/Project Director. Greenman-Pedersen, Inc. (GPI) is providing engineering services for this Locally Administered Federal Aid Project in the Town of Lake George, Warren County, New York. US Route 9 (Canada Street) from its intersection with Route 9N near Exit 21 of the Adirondack Northway (I-87), north to the Village of Lake George municipal boundary serves as a primary link/gateway to the Town and Village of Lake George. *Client: Town of Lake George, NY; Contact: Keith Osborne, Director of Planning (518) 668-5132.*

**Mohawk River Multi-Use Trail, (PIN 2650.18), City of Rome, NY. 2013+.** Project Manager. This project involved the construction of a multi-use trail, from Bellamy Park to Hazelton Park. GPI has been selected to review and provide comment of the design plans, specifications, cost estimate and construction bid documents developed by another consultant; provide construction management plan; construction support and inspection services. As Project Manager, he is responsible to perform quality control review, the development of the construction management plan, and providing the construction inspection staff to ensure project is built in accordance with the construction documents. *Client: City of Rome, NY; Frank Tallarino, City Engineer, (315) 339-7635*

**Pedestrian Walkway, Village of Northville, NY. 2013+.** Project Director. This project involved the construction of a new walkway that runs parallel to South Main Street, from Skiff Road to the existing pedestrian facility. The walkway includes an 80-foot pedestrian bridge and 815-foot long pedestrian walkway along the shoreline of Northville Lake. As part of the walkway, new 5' wide concrete sidewalk, curbing, box beam guide rail to protect pedestrians from motor vehicles, and a retaining wall is proposed to minimize encroachment to the lake. As Project Director, he is responsible for providing quality control reviews of all project plans, specifications and cost estimate; and providing engineering expertise to the project team. *Client: Village of Northville, NY; Mayor James Groff, (518) 863-4211*

**Pedestrian and Bicycle Access Improvements (PIN 8758.47), Town of Germantown, Columbia County, NY. 2012+.** Town Engineer. This locally administered federal aid project involved the design of a pedestrian facility along adjacent roadways and multi-use off road path. He is currently working with the Town's consultant and assisting as needed for the development of the final plans and specifications to replace deteriorated curbs and sidewalks. The project includes high visibility crosswalks, ADA accessible ramps, and 10' wide stone dust off road trail. As the Town Engineer, he oversees all consultant design efforts and coordinates with all involved agencies. *Client: Columbia County, NY; Contact: Dean Knox, (518) 828-7011*

**Spring Avenue Bridge over the Poesten Kill, City of Troy, Rensselaer County, NY (PIN 1756.37). 2010+.** Project Director. This locally administered federal aid project involved the complete replacement of the existing 122-foot long bridge over the Poesten Kill. The existing structure was built in 1940 and consists of steel girders and floor beams supported on stone abutments, with the sidewalks cantilevered on the outside of the fascia girders. The project also involves reconstruction of the bridge approaches, new bridge and approach railing. The mainline construction limits are approximately 200-feet beyond the beginning and end existing bridge limits. The side streets construction limits are approximately 100 feet beyond the edge of pavement intersection with mainline. As Project Director, he is providing quality control reviews of all phases of design, which includes reviewing the design report; environmental studies; preliminary and final design plans, specifications, engineer's estimate; and construction bid documents; right of way incidental and acquisitions. *Client: City of Troy, NY; Contact: Andrew Donovan, PE, (518) 279-7173*

**Ballston Avenue Traffic Improvements, City of Saratoga Springs, NY (PIN 1756.60). 2011+.** Project Director. This locally administered federal aid project involves the design of highway and traffic improvements Ballston Avenue (Route 50) from Lincoln Avenue to Hamilton Street. The project widens Ballston Avenue and realigns the curb line to provide a continuous center left-turn lane/median between Lincoln Avenue and Hamilton Street, replace the traffic signal at Hamilton Street, install a new traffic control signal at Lincoln Avenue, modify the Union Street intersection to reduce vehicle conflicts by removing vehicular access from Perry Street and Union Street south of Ballston Avenue, and provide continuous sidewalks along both sides of Ballston Avenue and streetscaping. As Project Director, he is providing quality control reviews of all phases of design, which includes reviewing the design report; environmental studies; preliminary and final design plans, specifications, engineer's estimate; and construction bid documents; right of way incidental and acquisitions. *Client: City of Saratoga Springs, NY; Contact: Tim Wales, PE, (518) 587-3550*

## Fred Mastroianni, P.E. Vice President

**Sound Shore Medical Center (SSMC) Intermodal Improvements, City of New Rochelle, Westchester County, NY (PIN 8761.01).** 2012+. Project Director. This Locally Administered Federal Aid project involved replacing the current deteriorated pedestrian facility with a new and improved pedestrian access facility that would meet ADA accessibility guidelines and thus create and strengthen linkages in and around the SSMC campus, especially from the transit center. This project included new concrete sidewalks, curbing, signs and pedestrian scale lighting to encourage pedestrian travel to/from SSMC, businesses and the community, high-visibility crosswalks, and pedestrian related traffic signs as per the Manual of Uniform Traffic Control Devices (MUTCD). As Project Director, he provided quality control reviews of all phases of design, which included review of design reports; environmental studies; preliminary and final design plans, specifications, engineer's estimate; and construction bid documents. *Client: City of New Rochelle, NY; Contact: John Clemente, PE, (914) 654-2134*

**Bridge Preservation Program, Schoharie County, NY.** 2013+. Project Director. This project involves evaluating numerous bridge inspection reports and determining which bridges may be eligible to obtain federal funding as part of the NYSDOT Bridge Preservation Program. Based upon the initial review of the bridge inspection reports, ten (10) bridges will be further evaluated to determine what needs to be done to correct deficiencies. Work will include site inspections and assessments, preparing a report summarizing structural deficiencies of each bridge and developing cost estimate that correct the deficiencies. As Project Director, he will conduct a quality control review of the report, including cost of improvements. *Client: Schoharie County, NY; Contact: Dan Crandell, PE, (518) 295-2330*

**Zim Smith Mid-County Trail Southern Extension, from Coons Crossing Road to Mechanicville, Saratoga County, NY. (PIN 1758.62).** 2011. Project Director. This project involved development of Conceptual Plans and Cost Estimate to extend a new 10'-0" wide paved trail to the City of Mechanicville. The project included developing trail alignment, typical sections, identifying right of way impacts, utility impacts, identifying environmental and geometric constraints, attending meetings with adjacent property owners to discuss trail alignment and possible property impacts, and preparing a final report that included project narrative, preliminary plans and details, opinion of probable construction and engineering costs, right-of-way needs and issues, and all meetings and coordination conducted for the project. As Project Director, he provided technical design support to the engineering staff and performed quality control review of the design plans and construction bid documents. He also assisted the County in preparing Transportation Enhancement Program Funding application to obtain federal funds for design and construction. *Client: Saratoga County, NY; Contact Jason Kemper, (518) 884-4705*

**Route 50 Southern Gateway Study, Saratoga Springs, NY.** 2009-2010. Lead Transportation Engineer. Provided transportation planning services associated with improving bicycle and pedestrian safety and connectivity between the residential areas and recreational trails in Saratoga State Park along the Route 50 Corridor, from the intersection with White Farms Road to the intersection with New Street/Congress Street. His role as the lead Transportation Engineer on the project included, evaluating existing conditions; assisting in identifying physical and operational treatments that would improve the bicycle and pedestrian environment along the corridor; developing alternatives for safe and attractive bicycle/pedestrian crossings along Route 50; conducting a level of services analysis of the intersections and make recommendations on intersection configurations and control, including traffic signal systems and Roundabouts options; assisting in prioritizing incremental improvements toward a comprehensive vision considering short term and long term needs; assisting on two public meetings; stakeholders meetings to discuss of proposed treatments; preparing Concept Plans of the recommended alternatives that can easily transition into the other stages of implementation i.e. design; determining preliminary opinion of construction cost, recommending an implementation plan, identifying funding sources; and assisting in the preparation of draft and final report. *Client: Capital District Transportation Committee; Contact Jason Purvis, (518) 458-2161*

**Multi-Use Path to connect the Hudson River Waterfront Park with the Champlain Canal Trail, Town of Halfmoon, NY.** 2012+. Project Manager. This project involves providing a new 10'-0" wide paved trail that will run parallel to Brookwood Road, cross an existing access road and railroad tracks, extend to NYS Route 4/32 where it would turn south and run parallel to the road. The trail will then head south and terminate at the Hudson Riverfront Park. The trail includes an at-grade crossing south of the intersection of Route 4/32 and Brookwood Road that will include a high visibility crosswalk, pavement markings, pavement symbols and signage. In addition, flashing beacons

## Fred Mastroianni, P.E. Vice President

for the combined pedestrian-bicycle warning signs will be provided and be installed at both approaches to the at-grade crossing. The new trail also includes an at-grade crossing with Brookwood Road and the railroad tracks and be provided with automatic crossing gates on both the Brookwood Road approaches to the tracks. As Project Manager, oversees and provides technical guidance to staff in the development of plans, specifications, cost estimate, construction bid documents and conducting a quality control review of the design. *Client: Elan Planning and Design; Contact: Jere Tatich, (518) 306-3702*

**Campground and Beach Restoration, Village of Port Henry, NY.** 2011 - 2012. Project Manager. Based upon damages associated with Tropical Storm Irene, the existing campground and beach experienced significant damage, which included the parking lot, roadway pavement, site grading, utilities and on site amenities. The Village obtained funding through FEMA to cover the costs. The project design included survey and mapping; developing detailed design plans, specifications, cost estimate and bid documents that included erosion/scouring control measure such as rip-rap along the beach front, restoration of the parking lot, roadway, site grading, sanitary sewer modifications, new basketball court and playground. The project involved significant coordination with NYSDEC, SEMO and FEMA to obtain necessary permits and approvals. During construction, GPI provided construction support and full-time inspection services. As Project Manager, he assisted in the development of the plans, specifications, cost estimate, construction bid documents and provided construction support services. *Client: Village of Port Henry, NY; Contact Ruth McDonough, (518) 546-9933*

**Fuller Road (CR 156) Corridor Improvements, Albany, NY.** 2009-2012. Project Manager. This two mile corridor involved preliminary and final design of Fuller Road, which is classified as a Major Urban Arterial. As part of the preliminary design, an analysis was conducted to determine the optimal intersection configurations, including evaluating traffic signals systems and roundabouts; and determining the preferred pavement treatment. With respect to improving the level of services at various intersections, two new traffic signal systems were selected, one at the intersection with Railroad Avenue and the other at Executive Park Drive; in addition, the traffic signal systems at Route 20 (Western Avenue) and Route 5 (Central Avenue) intersections needed to be modified based upon future traffic flow conditions. Roundabouts were selected at the intersections with I-90 Exit 2 ramps and at Tri-Centennial Drive. Full depth reconstruction was selected as the preferred pavement option. This project also included improving pedestrian access and mobility that included developing a continuous ADA compliant corridor. As part of the design, the project included developing a stormwater management system that complies with Phase II requirements in this MS4 area; developing construction phasing and Work Zone Traffic Control Plans for this highly developed commercial corridor; and developing construction bid documents. The final design included new curbing, sidewalks, full depth asphalt pavement reconstruction, two new traffic signal plans, two traffic signal modification plans, Two-lane and Single-lane Roundabout, drainage system modifications, waterline relocation, sanitary sewer modifications, highway lighting, new signs and pavement markings, landscaping amenities, bank stabilization of Patroon Creek and high visibility crosswalks, along with roadway plans, profile, and typical sections. Throughout the design process, a Public Outreach Program was developed that included significant coordination with the Town of Colonie, Town of Guilderland, City of Albany, NYSDOT, University at Albany and neighborhood associations. As Project Manager, he provided technical design support, conducted detailed review of the plans, specifications and construction bid documents; coordinated staff as needed to complete all design work. GPI was retained to provide construction support and inspection services and as part of this assignment, he addressed construction related issues and managed staff as needed for the issuance of field change sheets. *Client: Albany County, NY; Contact: Bill Anslow, (518) 655-7920*

**Lake Algonquin Scenic Vista and Fishing Access, Village of Wells, Hamilton County, NY.** 2009. Project Manager. This locally administered federal aid project involved the design and construction of a handicapped accessible scenic vista and fishing access site overlooking the lake, along the southern shore of Lake Algonquin. Prior to joining GPI, he was the Project Manager and Lead Design Engineer with another firm in the design of a wooden platform that included concrete piers, wooden deck, railings, and an accessible ramp that meets Americans with Disabilities Act (ADA), new parking lot and site amenities. The preliminary design included environmental screening and development of a Design Report. Final design included developing all plans and details, estimating quantities of various construction items and obtaining permit from the Adirondack Park Agency (APA). At GPI, he provided construction support and inspection services. *Client: Hamilton County, NY; Contact Tracy Eldridge, (518) 548-7141*

# Jennifer Wesolowski, P.E.

## Civil Engineer

### Professional Profile

Ms. Wesolowski is a New York State licensed professional civil engineer. Her work has involved a range of projects, from the design and coordination of river bank revetments, bridge abutments, highways and municipal infrastructure, hydrologic and hydraulic modeling of dam structures, to drainage design for urban plazas. Ms. Wesolowski is skilled in drainage design, stormwater management planning and has prepared hydrologic and hydraulic studies for permitting as well as bridge and culvert sizing. In addition, she has experience with system layout and design of public water and wastewater infrastructure. She has strong knowledge of HEC-HMS, HEC-RAS, HY-8, HydroCad and TR-55 water modeling programs. She served as a designer on both concrete and steel bridge projects and worked in conjunction on such projects with the New York State Historic Preservation Office.

Her experience also includes highway reconstruction and rehabilitation design and its related aspects. Additionally, she has experience in the design process for locally administered federal aid projects including all aspects of data collection, report preparation, permit applications, public participation, as well as preliminary and final design tasks.

### Project Experience

**Current Assignment: Hydrologic and Hydraulic Study, Johnstown, NY.** 10/14+. Project Manager. This project involves the preparation of inclusive Hydrologic and Hydraulic studies of four creeks and their watersheds to determine possible solutions to rectify the flooding issues along these reaches within the City. The studies will focus on areas where the creeks cross City infrastructure through culverts and bridges in order to recommend solutions for reducing or eliminating flooding impacts. This will also include preliminary cost estimates of each of the recommendations. In addition, the work will also include a study of the catchment areas attributing to accumulated surface runoff in the area of Glebe Street School and St. Mary's Healthcare facility programming area. The four waterbodies are Comrie Creek, Hale Creek, Hall Creek and Caleb Creek. Work will include environmental screening, performing hydraulic and hydrologic analysis, make recommendations to improve hydraulic flow, determine cost for the improvements and prepare draft and final reports to summarize the study findings. *Client: City of Johnstown, Contact: Chandra Cotter, (518) 736-4014, ccotter@cityofjohnstown.ny.gov*

**Current Assignment: Hubbard Lake Dam, Repair of Outlet Structure, Gilboa, NY.** 08/14+. Project Manager/Project Director. Evaluated the present condition of the dam and prepared recommendations for the replacement of the outlet structure. Also responsible for design of the repair of an embankment failure adjacent to the headwall of the outflow pipe. *Client: Hubbard Lake Homeowners Association, Contact: Joe Plitnick; 917-714-1134*

**Current Assignment: Crystal Lake Dam #226-4703, Averill Park, Rensselaer County, NY- Data Collection and Review, Hydrologic and Hydraulic Analysis of Existing Conditions, Preliminary Dam Breach Analysis for Hazard Classification and Engineering Assessment Report.** 2014+. Project Manager. Crystal Lake Dam is Class A, 60-acre recreational impoundment. It was visually inspected by the NYSDEC; their recommendation is to reclassify the dam to a Class B due to the potential overtopping of an Urban Collector Roadway. As Project Manager, her responsibilities are to create inundation mapping for confirmation of hazard classification and spillway design flood. The site hydrology will be developed with the use of HEC-HMS and HEC-RAS will be used to perform the breaching and downstream hydraulic modelling. Depending on the result of the classification, an Inspection and Maintenance Plan, Emergency Action Plan, and an Engineering Assessment Report may be developed. *Client: Crystal Lake Improvement Association; Contacts: Peter Toop, (518)*

**Current Assignment: 264N Route 9W Retaining Wall along the Minisceongo Creek, Town of Haverstraw, Rockland County, New City, NY.** 2013+. Project Manager. Inspect and evaluate the current conditions of the retaining wall that collapsed as a result of Hurricane Irene. Responsibilities include coordination of surveying and mapping, hydraulic analysis, providing stabilization recommendations, perform design of the selected retaining wall treatment, prepare contract documents and assist with the bidding phase. *Client: Rockland County Drainage Agency, NY; Contact: Christine O'Prey, PE, (845) 638-5081*

**Proposed Project Assignment**  
Project Engineer

**Registration/Certifications**  
2006/Professional Engineer/NY

**Education**  
BSCE/1998/Civil Engineering

**Total Years Experience** 15

## Jennifer Wesolowski, P.E. Civil Engineer

**Overlook Road Superstructure Replacement over the Roeliff Jansen Kill (BIN 322320), Town of Copake, NY.** 2011-2012. Hydraulic Engineer. Ms. Wesolowski was responsible for the hydrologic and hydraulic analysis of the Roeliff Jansen Kill using HEC-RAS and sizing the hydraulic opening of the bridge to obtain a minimum of 2-foot of free-board for the 50-year storm event while being able to pass the 100-year storm event. The project involved the design and detailing of new prestressed concrete box beams, composite concrete deck and rehabilitation of the abutments. A temporary detour for traffic around the work zone was used during construction. All designs followed LRFD and NYSDOT Standards. *Contact: Dean Knox, (518) 828-7011. Client: Columbia County DPW*

**Rehabilitation of the Albany County Vietnam Veterans' Memorial Monument, Lafayette Park, Albany, NY.** 2011+. Project Engineer. Responsible for the analysis and design of a closed drainage systems for this granite/bronze inlay monument. The monument consists of a 16 ft high carved and polished Samba Pink Granite spire with integrated curvilinear granite stairways, granite retaining walls and planting beds. The monument will be chemically cleaned and repointed with matching mortar. The integrated bronze castings will also be cleaned and new planting representative of Vietnam will replace the existing plantings. The encircling blue stone paver and closed drainage systems will be replaced with a pervious, granite paver system that incorporates a pervious concrete subslab. New polished granite benches with dedicated bronze shield representing the five branches of the armed forces will also be integrated around the monument. *Client: Tri-County Veterans; Contact: Joseph Pollicino, (518) 423-4056*

**University at Albany, SUNY, Sayles Hall Water Infiltration, NY.** 2010-2011. Project Manager. Responsibilities included the onsite inspection and assessment of the existing building and surrounding site, and the preparation of a comprehensive program report with recommendations and cost estimate. The project was an investigative study to determine the source(s) of severe water infiltration and flooding of the ground floor and basement areas of the Sayles Hall student housing and administration building. The study included video inspection, air vacuum exploration around the building foundation, topographic survey of the building and surrounding site, a hazardous materials survey/investigation for mold, asbestos, and lead based paint in the basement of the building, and a comprehensive review of historic documentation of the building and the site infrastructure in support of a program report that defines a prioritized scope of work to mitigate the water infiltration issue. *Client: SUNY Albany; Contact: Elena McCormick, (518) 442-4980.*

2013/ AISC – *Fundamentals of Connection Design – Fundamental Concepts Part 1*  
– *Fundamental Concepts Part 2*  
– *Shear Connections Part 1*  
– *Shear Connections Part 2*  
– *Moment Connections Part 1*  
– *Moment Connections Part 2*  
– *Moment Connections Part 3*  
– *Bracing Connections*

2013/ *HEC-HMS Computer Workshop (ASCE)*  
2012/ *Dam and Levee Safety, Evaluation and Rehabilitation (ASCE)*  
2012/ *Retaining Wall Design and Slope Stabilization Techniques*  
2012/ *Dam Breach Analysis using HEC-RAS Version 4.1.0 (ASCE)*  
2012/ *Hydrology 201 for Dam Safety (ASDSO)*  
2012/ *Probable Maximum Precipitation and the History of Hydrometeorological Reports (ASDSO)*  
2008/ *Accelerated Bridge Construction Seminar (PCA)*  
2004/ *HEC-RAS Computer Workshop (AASHTO)*  
2002/ *Hydraulic Design of Culverts*

### Computer Program Knowledge

Water Analysis: HEC-RAS; HEC-HMS; HY-8; HydroCad; and TR-55

Structural: ETCulvert, WinDASH

Other: MathCad; Microsoft: Word, Excel, Power Point

# Ryan J. Trunko, P.E.

## Project Engineer

### Professional Profile

Mr. Trunko has more than seven years experience in civil engineering design. His experience encompasses site development, highway transportation projects, dam design projects, stormwater management systems and environmental permitting. Mr. Trunko excels in site development and has extensive experience preparing preliminary and final design reports, detailed construction plans, Stormwater Pollution Prevention Plans, Erosion & Sediment Control, drainage analysis and design, and providing construction management services. Technical skills include AutoCAD Civil 3D, Microstation, HydroCAD, ArcGIS and Microsoft Office.

### Project Experience

**GPI/Greenman-Pedersen, Inc.** 05/13+. Land Development Dept.

**RPI - 2014 Engineering Services Blanket Purchase Order, Rensselaer, NY.** 12/3/2014. Under an on-call professional service agreement with Rensselaer Polytechnic Institute, GPI/Greenman-Pedersen, Inc. provided construction phase services for site improvements at the WRPI Tower structure. The improvements were designed to mitigate erosion at the guy wire anchor foundations. The site consists of a 700 FT tall guyed communication tower that sits on a hilltop adjacent to the east shore of the Hudson River in Rensselaer NY. Each of the three guy wires is anchored by a concrete anchor foundation located below the tower along a steep sloped aisle that was cleared on the wooded hillside. The steep slopes of the cleared aisles is directing concentrating runoff to the anchor units, causing localized erosion of soil at the anchors, which is jeopardizing the structural integrity and stability of the 700 FT tower. GPI provided submittal review, intermittent construction inspection, responses to RFIs and review of contractor payment requests. *Client: Rensselaer Polytechnic Institute, Contact: Duane DeWerd, (518) 276-8759; deweed@rpi.edu*

*Current Assignment: Saint Peter's Health Partners (SPHP)-Troy MFP Implementation Project, City of Troy, NY.* 2013+. Project Engineer/Designer. 05/13+. This \$99+M project is the largest phase in the Strategic Facilities Master Plan implementation for the St. Peter's Health Partners, Samaritan Hospital of Troy, NY improvements. The project includes the development of a new 150,000-ft<sup>2</sup> pavilion that will house a new ER, additional surgery space and a patient room tower. Site work also includes a 550-space parking garage, reconfiguration of street entrances, on-site pedestrian accommodations, utility upgrades, landscape improvements, and site lighting. Responsible for all site design and engineering, utility upgrades and modifications, drainage analysis and design, and Stormwater Pollution Prevention Plan. *Client: Freeman White Architects, Chris D. Richardson, AIA, Principal, (704) 523-2230.*

*Current Assignment: Burnt Hills-Ballston Lake CSD.* 11/13+. Project Engineer/Designer. The project includes exterior improvements including new bus staging areas, parent drop off's, teacher and staff parking, event based parking and related infrastructure and utility upgrades and modifications for multiple schools. The work at the O'Rourke middle school includes a full reconstruction and reconfiguration of the main parking lot with the addition of a new Parent drop off loop, modified parking configuration, improvements to green space and related stormwater management upgrades. The work at the Steven's Elementary School includes the creation of a new segregated parent drop off loop, new interconnecting covered walkway and sidewalk system, overflow parking and multi-use paved play area, removal of an outdated maintenance building, and improvements to the teacher parking lot. Responsible for all site design and engineering, utility upgrades and modifications, drainage analysis and design, and Stormwater Pollution Prevention Plan for both sites. *Client: Michael Fanning, Mosaic Associates, Architects, (518) 479-4000 x419.*

*Current Assignment: Halfmoon Connection Trail from Champlain Canal Trail to NYS Route 4&32, Town of Halfmoon, NY.* 11/13+. Project Engineer/Designer. This project involves the construction of a paved ten foot wide, 1,500+/- linear foot multi-use trail from Lighthouse Park to Champlain Canal Trail. He was responsible for

**Proposed Project Assignment**  
Project Design Engineer

**Education**  
2008/BS/Civil Engineering/Worcester  
Polytechnic Institute

**Registration/Certifications**  
2014/Professional Engineer/NY

**Total Years' Experience** 7

## Ryan J. Trunko, P.E. Project Engineer

developing all plans and details needed to construct the trail, which included geometric design of the trail, two roadway crossings, an at-grade railroad crossing and new parking area. *Client: Elan Planning, Design and Landscape Architecture, PLLC; Ryan Berry, RLA, (518) 306-3702 x18.*

*Current Assignment: Grasmere County Inn. Town of Rhinebeck, NY. 06/13+.* Project Engineer/Designer. This project includes the transformation of an historic 1774 Manor House and accompanying buildings into a luxurious resort including a boutique hotel, stand-alone “eco-cabins”, spa facility and a top restaurant. Site improvements on this forty acre estate will include 3 entranceway modifications, guest parking lots, paved roadways throughout the resort, extensive landscaping, updated utilities and an on-site wastewater treatment plant. Responsible for the Master Storm Water Management investigation, roadway and site circulation design, and completion of preliminary engineered site plans for use in the Special Use Permit application process. He also assisted in completing the Traffic Impact Study and wastewater conveyance, treatment and discharge investigation. *Client: Great Jones Asset Management; Contact: Jonathan Mensch, (845) 876-2064.*

**Hope House, Inc. Phase II Development, City of Albany, NY.** 05/13 – 03/14. Project Engineer/Designer. This private development project involves construction of a 9,800-ft<sup>2</sup> two-story adolescent facility and 4,800-ft<sup>2</sup> multi-purpose building with paved driveways, parking areas, as well as storm water management infrastructure, water supply and sewage collection systems. Was responsible for all site design and engineering, utility upgrades and modifications, drainage analysis, and design of a custom stormwater treatment pond for the development of Final Construction Plans. He was also responsible for the development on the Stormwater Pollution Prevention Plan, Sanitary Sewer Facilities Report, Water Facility Report, and construction administration services. *Project is currently in construction. Client: Kevin Connally, Hope House, Inc. (518) 482-4673.*

**11 Anderson Drive Site Drainage Improvements, City of Albany, NY.** 10/13 – 12/13. Project Engineer/Designer. Project was initiated to analyze and correct on-site drainage issues which caused flooding inside the building. Flooding was mitigated through the installation of a custom designed drainage ditch that collected and discharged stormwater away from the building to a rip-rap pool before entering the municipal stormwater system. Responsible for all site design and engineering, drainage analysis and design, permitting and the preparation of Final Construction Plans. *Client: Woody Pendergast, GE Power and Water (518) 348-3377.*

### *Prior Firm Experience*

**Laberge Group, Albany, NY.** 06/08-04/13. Project Engineer.

- Member of the Civil and Environmental Engineering Team Implemented preliminary and final design services for site development, transportation and dam projects which included Design Reports, detailed construction plans, bid specifications and cost estimates. Completed hydrologic analysis, Stormwater Management Reports, Stormwater Pollution Prevention Plans, and stormwater handling and piping design for drainage projects. Prepared and received approval for endangered species, wetlands and historic preservation environmental compliance permits. Performed construction management services including shop drawing review, oversaw periodic payments to contractor, permit compliance, contract close out and grant reimbursement.

**Clough Harbour and Associates LLP, Albany, NY.** 05/06-08/06; 05/07-08/07. Assistant Engineering Designer/Technician/CADD Operator.

- Member of the Transportation Division, Prepared detailed drawings with MicroStation and AutoCADD in support of various highway improvements. Conducted pavement assessments on State and local highways. Completed multiple intersection traffic counts, analyzed and reported the data.

# Kurt Weiskotten

## Environmental Specialist

### Professional Profile

Mr. Weiskotten has 22+ years of experience as an Environmental Specialist. His experience includes conducting environmental reviews and screenings for both state and federal aid projects, including NEPA, SEQRA, state and federal wetlands, protection of waters, ecology and endangered species, vegetation management, invasive species control and management, and cultural resources. He has also managed and supervised staff in conducting numerous environmental screenings and project reviews and processing. He has coordinated with various agencies that included NYSDEC, ACOE, USFWS, and SHPO in preparing and obtaining all the necessary permits needed for various projects. He is proficient in developing erosion and sediment control plans and in using GPS and GIS to screen and plan for environmental resource impacts. Beyond transportation planning and environmental processing, he has extensive field experience in wetlands, wildlife, and natural history. His specialties include bird identification and biology, insect ecology, wildlife issues, plant identification, habitat management, wetland ecology and dynamics, wetland delineation, wetland mitigation design, and environmental teaching and training, among others.

### Project Experience

**GPI/Greenman-Pedersen, Inc.** 2013+. Environmental Specialist.

#### **Route 9 Corridor Improvements, Lake George, NY (PIN 1759.67).**

2014-2015. Environmental Scientist. This **Locally Administered Federal Aid Project** involves improving Pedestrian Access and Safety throughout the corridor and pavement preservation of the travel lanes. Pedestrian Access and Safety includes new ADA accessible sidewalks along both sides of the road, high-visibility crosswalks at intersections, bicycle access, provide landscape buffers between vehicular and pedestrian traffic where practicable, reducing walking distance for pedestrians at crossings via curb extensions, provide pedestrian push-buttons, count-down timers and other amenities at the two signalized intersections, access management such as the design of well-defined driveways/curb cuts to reduce pedestrian/vehicle conflict points; new stormwater collection and treatment system to reduce pollutants to existing water body; street lighting (the corridor currently provides cobra style streetlights mounted on utility poles and will be replaced with period style lighting). **Pavement preservation** will include milling and overlay of the roadway section. GPI is providing preliminary design, final design, construction support and inspection services. As Environmental Scientist, responsible for the environmental screening, SEQRA and NEPA process and obtaining all permits. *Client: Town of Lake George, Contact: Keith O'Borne, Director of Planning, (518) 668-5131*

#### **Elk Drive Bridge over the LaChute River, Town of Ticonderoga, Essex County, NY (PIN 1757.60).** 2014.

Environmental Scientist. This **Locally Administered Federal Aid Project** involved complete replacement of a bridge, along with drainage and approach improvements. The existing bridge is a 42 foot long single span consisting of poured in place concrete abutments supporting a structural steel frame and concrete deck. There is an asphalt wearing surface on the deck and sidewalks on both sides. The new bridge will carry two 11'-0" wide travel lanes, 4'-0" wide shoulders and 5'-0" wide sidewalks on both sides of the bridge and be designed to the extent possible to replicate the Frazier Bridge located just upstream via utilizing "stone arch" façade treatment. The bridge will be closed to traffic during construction. The new bridge will include five rail bridge rail system, new drainage structures, piping and stone-lined channels at the bridge approaches, new sidewalks on both sides of the bridge and road, and extending them to the intersections with Montcalm Street and Burgoyne Road. High-visibility crosswalks would also be provided at the intersections. As Environmental Scientist, responsible for the environmental screening, SEQRA and NEPA process and obtaining all permits. *Client: Essex County, NY, Contact: Robert Leveille (518) 873-3745*

**Term Agreement Assignment | Syracuse Division Culvert Rehabilitation Project.** 2013+. Environmental Scientist. The project includes various maintenance repair and rehabilitation efforts at 24 culverts sites across the Syracuse Division of the Thruway mainline. Work at each culvert varied, but could include replacing headwalls and wingwalls, extending deteriorated end sections, cleaning of accumulated sediments, and slip-lining or cured-in-place liner installations within culverts. Responsible for preparation and coordination of a complete permit package for Thruway Authority submittal to NYSDEC and ACOE for impacts to state and federal wetlands and streams. *Client: New York State Thruway Authority*

### Proposed Project Assignment

Environmental Specialist/Permits

### Education

1991/MS/Environmental Studies/SUNY ESF  
1989/BS/Environmental Studies/SUNY ESF  
1983/AAS/Natural Resources/Conservation/SUNY ATC  
1983/Boreal Flora & Field Ornithology/Univ. of Michigan

### Additional Training

Hydric Soils  
Methodology of Wetland Delineation  
Techniques of Wetland Mitigation and Construction  
Stormwater and Erosion Control Principles  
USACOE Nationwide Permits  
Geographic Information Systems/GIS  
Fluvial Geomorphology Module/FGM

**Total Years Experience** 22

## Kurt Weiskotten

### Environmental Specialist

**Term Agreement Assignment | MP 253-262 Pavement Resurfacing and Safety Improvements.** 2013+. Environmental Scientist. This project is an 18 mile length of Eastbound and Westbound I-90 mainline corridor that will receive pavement resurfacing along with culvert rehabs and extensive slope flattening treatments to provide a recoverable foreslope in as many locations as possible. Responsibilities on this project have been to provide a formal wetland delineation along the entire project corridor. This delineation will allow for appropriate avoidance and minimization of wetland impacts, and planning for wetland permitting as the project advances. A full wetland delineation report is part of the delineation process. It is anticipated that complete permitting services will be provided, as well. *Client: New York State Thruway Authority*

*Prior Firm Experience:*

**New York State Thruway Authority/Canal Corporation, Albany, NY.** 2007-2013. Environmental Specialist 2. Responsible for the overall environmental review and processing of the Thruway and Canal capital design program, including NEPA and SEQRA, State and Federal wetlands and waters protection and permitting, GIS analysis, vegetation management, SHPO topics, and ecology and endangered species issues. Supervise staff in conducting same responsibilities. Provide guidance to designers and consultants to assure that projects are progressed in a timely manner and are environmentally compliant and protective. Coordinate and meet with regulatory and environmental agencies concerning needs and interests of project design and implementation. Introduce environmental enhancements and stewardship practices into transportation projects whenever possible.

# **SECTION 3.**

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## **Project Experience Portfolio**

## **Project Experience Portfolio**

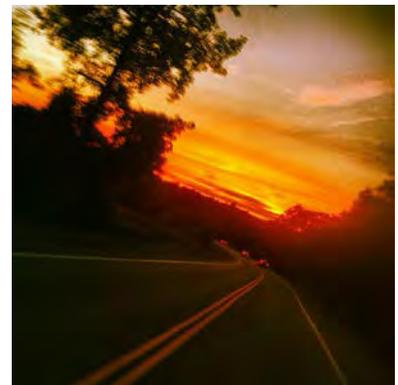
**GPI/Greenman-Pedersen, Inc.** has significant prior experience providing professional engineering and architectural services to various counties, municipalities, as well as public and private sector clients.

Our reputable history and notable experience on comparable projects, evidently demonstrates that **GPI** has an extensive breadth of knowledge in professional engineering design services, as well as in construction inspection and management.

**GPI** maintains over 20 branch offices, with six branches in the State of New York alone.



**GPI** possesses all of the expertise and skill necessary for successful completion of projects, and we have included an illustrative sampling of projects, similar in nature and encompassing all of the major work elements anticipated on future projects on the subsequent pages.



# LANDSCAPE ARCHITECTURE

The truly successful landscape architect possesses the ability to combine sensitive design skills with an understanding of human needs, environmental limitations and the Site Engineering process. GPI employs a professional staff with such skills and has built an enviable record of accomplishment in site design and planning.

All services are provided in-house using teams of landscape architects, planners, civil engineers and environmental scientists. Optimal and economical uses of clients' property are developed with consideration given to both on-site improvements and off-site impact GPI has supplied a variety of clients with master plans and landscape and development plans for industrial parks, office buildings, residential communities, planned unit developments, central business districts, urban plazas and streetscapes, university campuses, recreational complexes, and waterfront facilities.

On each project, our multi-discipline staff works together to produce cost-effective designs that meet user needs and respond to environmental requirements.



**Greenman-Pedersen, Inc.**  
Engineering & Construction Services

[www.gpinet.com](http://www.gpinet.com)

# CIVIL & SITE ENGINEERING

GPI offers a turn-key design operation for your civil engineering needs. Our experience covers a wide range of project specialization, including highways and industrial parks, residential subdivisions and planned residential developments, corporate center site planning, municipal engineering, stormwater management, flood protection and outdoor sports and recreation facilities. We have the experience to take your project from start to finish, with the integration of site data from the initial collection of survey information through base mapping, design and development of construction documents. Our project experience goes far beyond a local or regional firm, spanning a multitude of locations across the United States.

The firm maintains an enviable record in meeting deadlines and instituting cost controls. We satisfy clients with compressed time frames by using fast-track and design-build methods.

## Surveying Services

- Topographic Surveys
- Property Boundary Surveys
- Metes & Bounds Descriptions
- Easement Surveys
- Right-of-Way Surveys
- Lot Staking
- Plot Plans/Acquisition Plans
- Subdivisions
- Construction Layout
- As-Built Surveys

## Water Supply, Treatment & Distribution

- Distribution
- Computer Modeling & Hydraulic Analysis
- Distribution Piping
- Booster Pump Stations
- Fire Flow Analysis
- Supply
- Groundwater Wells
- Water Demand/Capacity Projections
- Treatment/Disinfection Systems
- Storage
- Elevated Storage Tanks
- Standpipes
- Regulatory Permit Applications

## Environmental Engineering & Permitting

- Stormwater System Permits
- Sanitary Sewer System Permits
- Ground & Surface Water Discharge Permits
- Soil Erosion & Sedimentation Control Plans & Approvals
- Wetland Permits
- Water Quality Certifications
- Army Corps of Engineers Permits
- EPA Permits & Certifications
- Environmental Assessments
- Groundwater Withdrawal Permits

## Transportation Engineering

- Transportation Planning Studies
- Roadways
- Bridges (Vehicular, Pedestrian & Utility)
- Rail/Transit Systems
- Signage & Pavement Marking Plans
- Safety Improvements
- Maintenance & Protection of Traffic Plans
- Parking Structures
- Traffic Studies
- Regulatory Permit Applications



**Greenman-Pedersen, Inc.**  
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# CIVIL & SITE ENGINEERING

## Land Planning & Development

- Master Planning
- Open Space & Recreation Plans
- Project Feasibility Analysis
- Permit/Regulatory Analysis
- Zoning & Subdivision Reviews
- Site Selection
- Land Use & Feasibility Studies
- Subdivision Design
- Site Plans
- Sketch Plans
- Preliminary Land Development Plans
- Final Land Development Plans



## Stormwater Collection & Management

- Hydrologic & Hydraulic Modeling
- Dam Analysis
- Flood Plain Studies
- Collection Systems
- Gravity Pumping Stations
- Culverts
- Swales/Open Channels
- Stormwater Management Facilities
- Quality Control Basins
- Infiltration Systems
- Detention & Retention Basins
- Underground Detention Facilities
- Dams & Levees



## Wastewater Collection, Treatment & Disposal

- Collection Systems
- Gravity Low-Pressure Grinder Pump
- Pump Stations & Force Mains
- Interceptors
- Infiltration/Inflow Evaluations
- On-Lot Systems
- Elevated Sand Mound
- Disposal Field
- Pressure Dosing
- Regulatory Permit Applications



**Greenman-Pedersen, Inc.**  
Engineering & Construction Services

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# STRUCTURAL ENGINEERING

Today, increasing code requirements, heightened liability concerns and continuous research in building materials requires a sophisticated analysis from today's structural engineers. Project schedules and client needs demand timely, cost effective design solutions. To meet these needs, we hire highly qualified engineers and have specialized engineering software available to aid the design process. By using the latest technology, our engineers can rapidly investigate several structural schemes for a building without sacrificing time or accuracy in design, ensuring economy and quality.

Our engineers are architecturally sensitive, meaning we are flexible in working with the architect's design, striving to provide solutions that are economical and feasible. This does not mean that the most economical design or the fastest design is the best design, as architectural conditions may require innovative and creative ideas.

Whether it is a single-story building, high-rise building, multi-span bridge, or long-span structure, our extensive knowledge in the latest advancements in the structural engineering profession is an asset to your project team. The final product of our labor is a well-designed, well-detailed, coordinated set of drawings and specifications – completed in a timely fashion respecting the project and budget.

## Foundations/Retaining Structures

- Conventional Spread Footings
- Pile Foundations
- Drilled Piers/Caissons
- Mat Foundations
- Slab-On-Grade
- Self-Supported Floors
- Retaining Walls
- Grade Beams
- Post-Tensioned Slabs

## Building Superstructures

- Structural Steel
- Cast-in-Place Reinforced Concrete
- Architecturally Exposed Structural Steel
- Structural Precast Concrete
- Masonry Construction
- Timber Structures/Wood Framing
- Light Gauge Steel Aluminum Structures
- Post-Tension Structures
- Cable Structures

## Other Specialties

- Wind & Earthquake Engineering
- High Rise Analysis & Design
- Long-Span Structures – Arenas, Stadiums, Convention Centers, Recreational Facilities
- Monumental Stairs
- Blast Walls & Protective Structures
- Noise Walls
- Floor Vibration Analysis
- Transmission Towers
- Vaults
- Elevated Building Link Structures
- Inspection, Evaluation & Retrofitting of Existing Structures
- Structural Integrity Reports & Investigations for Insurance Claims



**Greenman-Pedersen, Inc.**

Engineering & Construction Services

[www.gpinet.com](http://www.gpinet.com)

# Halfmoon Village & Yacht Club Halfmoon, NY

Client:  
Halfmoon Beach Properties, LLC

Halfmoon Beach Properties, LLC's Halfmoon Village & Yacht Club is an approved Planned Development District (PDD) residential condominium community. Greenman-Pedersen, Inc. (GPI) is providing professional services for the approved development will consist of up to 244 residential units located within multiple buildings, a community clubhouse for residents, mooring facilities including approximately 75 boat slips courtyard areas, boardwalk and pedestrian trails and associated infrastructure. The project also includes a proposal to establish a public park with an observation pier and parking facilities.



The layout of the site is the result of a cumulative effort of the project architects, engineers, landscape architects, and environmental scientists. The goal of this collaborative effort was to create a vibrant community setting designed to complement and enhance the unique environmental characteristics of the site and its inter-relationship with the Mohawk River. To create a sense of community, the buildings are positioned to create a variety private courtyards and larger public gathering places that emphasize the natural characteristics of the site and the views off-site. Residents will also have access to two large village greens for community events and for passive recreation.

The site plan was developed to be responsive to protecting the existing wooded riparian buffer and water edge surrounding the peninsula and mature vegetation. The proposed project will retain approximately 15.68 acres as open space, including lawns and landscaped areas. Impervious areas will total approximately 9.4 acres, consisting of a combination of roads, walkways, courtyards, surface parking areas, and buildings.

The project will have two entrances from Towpath Road, one to provide direct access to the residential development and one to provide access to the public park. From the community entrance, a roadway traverses the center of the site toward a cul-de-sac located in the southern portion of the site. A series of internal driveways will connect all components of the project and provide safe circulation and traffic flow through the site.

The project includes a number of recreational amenities. A pedestrian trail system meanders through the site linking the condominium buildings to the natural site features. The project also includes mooring facilities for up to 75 boat slips. The project also includes a non-motorized boat canoe/kayak launch and storage area. An observation pier located at the southern end of the site will provide scenic views of the river.



*Site Design/Landscape Architect: GPI*  
*Estimated Construction Cost: \$35M*

*Client: Halfmoon Beach Properties, LLC, Gail M. Krause, President, 518.588.7342*

# Zim Smith Mid-County Trail, Saratoga County, NY (PIN 1756.29)

Client:  
Saratoga County, NY



For this Locally Administered Federal Aid Project, Greenman-Pedersen, Inc. (GPI) provided preliminary and final design and construction inspection services for a 9-mile railway on an abandoned railroad right-of-way. The scope of work included:

- Survey and mapping
- Subsurface investigations
- Right of way acquisition
- Design Approval Document (Design Report)
- Environmental screening and permitting and designs to minimize impact to sensitive areas.
- Preliminary and final trail design and construction bid documents
- Design of a new structure to carry the trail over the Mourning Kill
- Construction Contract Administration & Construction Inspection
- Community meetings at which goals, constraints and options were discussed

The trail involved construction of a new 10' wide paved trail, safety railing, fencing where trail alignment was parallel to the railroad tracks, high-visibility crossings, avoidance of wetland disturbance, access gates and other safety amenities. This railway was officially opened to the public on October 26, 2010. On May of 2012, this trail received National Recreation Trail designation recognizing this trail system that links communities to recreational opportunities on public lands and in local parks across the nation. Each of the new national recreation trails receive a certificate of designation, a letter of congratulations from Secretary Salazar, and a set of trail markers.

Client: Saratoga County, NY, Contact: Mr. Jason Kemper, Director of Planning,

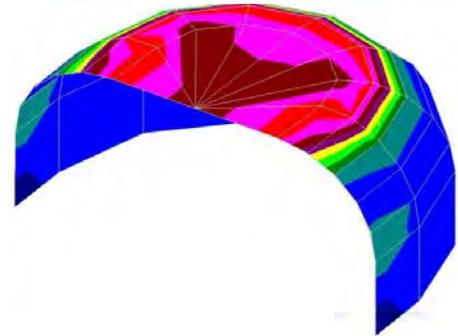
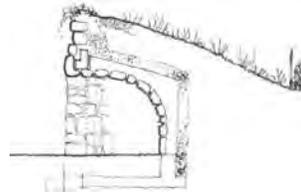
518.884.4705; [jkemper@saratogacountyny.gov](mailto:jkemper@saratogacountyny.gov)

# The Grotto at Siena College Loudonville, NY

Client:  
Siena College



In February 2014, Greenman-Pedersen, Inc. (GPI) completed the design of a quarter sphere concrete shell grotto. The dimension of the grotto measure approximately 22'-0" wide by 13'-6" deep by 12'-0" tall. The roof of the grotto was designed to support large stone veneer measuring approximately 18"x18"x12" deep. In addition to the alcove portion of the grotto there are 20'-0" tall wing walls on either side. The wing walls are integral with the grotto and retain approximately 5'-0" of soil above the roof of the alcove creating a mound type structure. As the grade tapers off on each side of the wing walls, unreinforced stone masonry retaining walls were designed.



Coordination of the construction process with the general contractor was key for this design. The construction process involved building a false mound of soil and high compression foam to create the shape of the sphere. The veneer stones were then strategically placed on the mound with stainless steel anchors drilled and epoxy grouted into the backside of the stone. The joints were filled with a sand/fine gravel preventing concrete seepage. After the stones were in place a steel rebar cage was installed. Concrete was then placed creating the quarter sphere shell structure. Once the concrete cured the soil/foam was removed revealing the stone clad alcove. The wing walls were then constructed and clad with stone veneer.



Waterproofing of the structure was also key to the design. It was important to prevent any water from getting behind the stones and in the joints. Measures used included a Rub-R-Wall waterproofing system, water repellent mortar admixtures, proper detailing of stone masonry, proper drainage behind the retaining wall and grotto structure and proper installation of filter fabric.

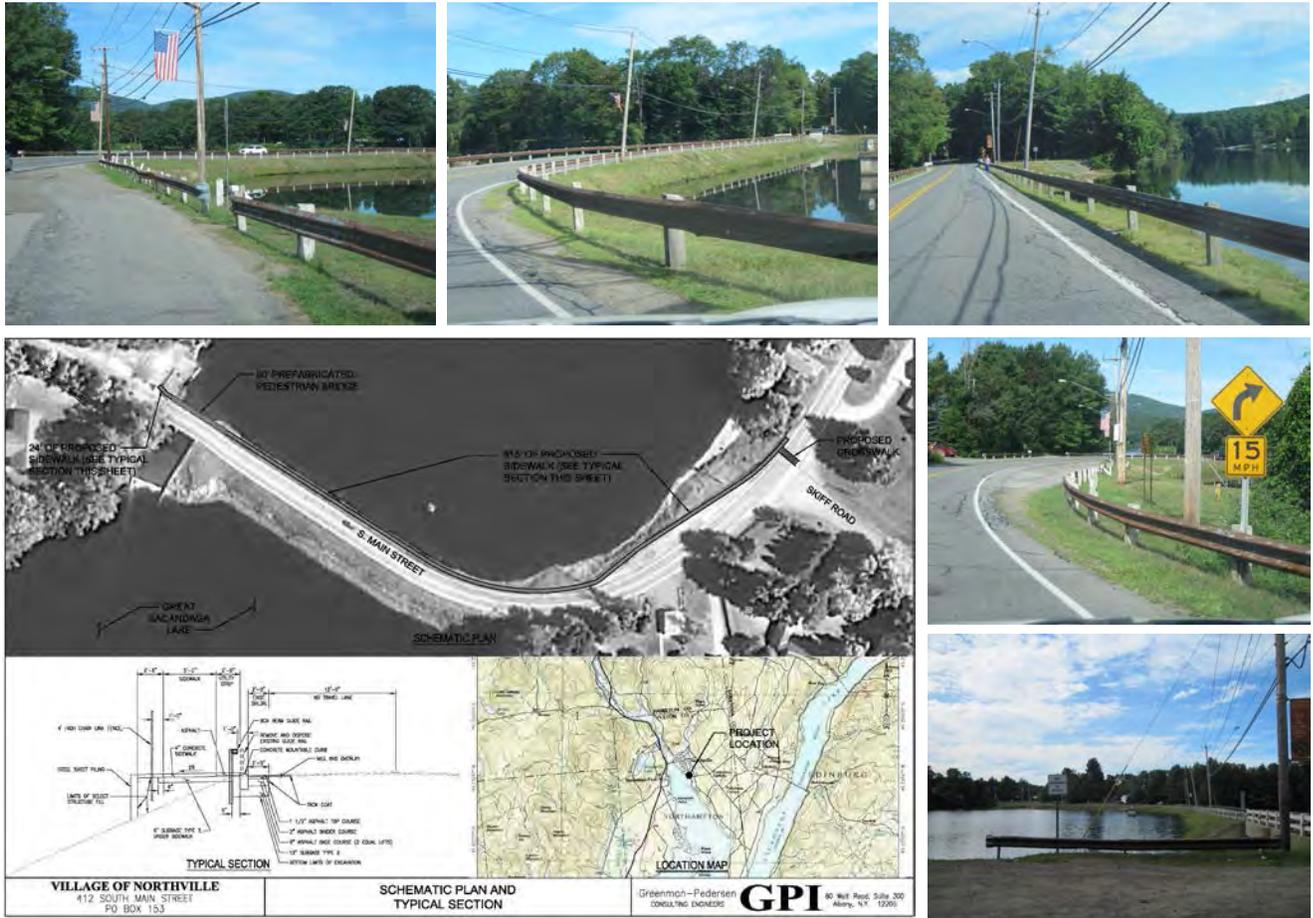
In 2014, this project was awarded SEI's (Structural Engineering Institute) Mohawk Chapter's Structural Engineering Project of the Year, Other Structures Award. *Construction Cost: \$900,000.00; Completion Date: Fall 2014*



Owner: Siena College, Mark Frost, P.E. (518) 783-4100; Landscape Architect: Saratoga Associates, Donald Minnery, A.I.A. (518) 587-2550; General Contractor: BBL Construction, John Crupi (518) 452-8200; Landscape: Gallivan Companies, Brendan Gallivan (518) 271-6100

# Village of Northville Waterfront Access with Pedestrian Bridge and Walkway

Client:  
Village of Northville, NY



Greenman-Pedersen, Inc. (GPI) assisted Elan Planning and Design and Camoin Associates in the preparation of a grant to fund the Village of Northville pedestrian walkway.

GPI prepared Concept Plan and preliminary cost estimate to construct a new walkway parallel to South Main Street, from Skiff Road to the existing parking area. The walkway included an 80 foot pedestrian bridge and 815 foot long pedestrian walkway along the shoreline of the Northville Lake. As part of the walkway, new 5' wide concrete sidewalk, curbing, box beam guide rail to protect pedestrians from motor vehicles, and a retaining wall was provided to minimize encroachment to the lake.

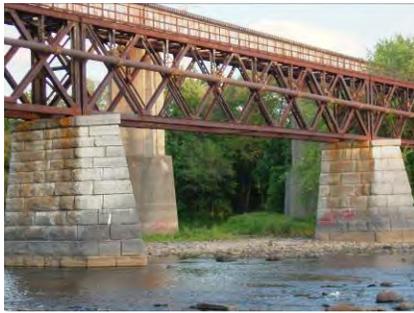
The walkway will run parallel to the South Main Street Bridge (BIN 2255620) over the lake, which is owned by the Town of Northhampton. There are several utility poles with overhead wiring located along the north side of the road that will be impacted by the proposed walkway. The Village has begun discussions with the utility owner and they appear to be receptive to relocating the poles.

The project was awarded \$75,000 in EPF funds through the New York State Office of Parks and Recreation to develop final design plans, cost estimate and construction bid documents.

*Client: Village of Northville, NY; Mayor James Groff, 518.863.4211*

# Grasse River Footbridge & Multi-use Trail, Village of Massena, St. Lawrence County, NY (PIN 7804.84)

Client:  
Village of Massena, New York



For this Locally Administered Federal Aid Project, GPI is providing professional design and construction inspection services to the Village of Massena, under the SAFETEA-LU Transportation Enhancement Program, to rehabilitate the Grasse River Footbridge and construct a trail, approximately 2 1/2-miles long, from the Massena Intake into the Village of Massena. The requested services include, but are not limited to inspection & structural analysis of the existing bridge, preparation of bridge report including rehabilitation requirements and preliminary deck design(s) -



design approval document, preliminary trail design - design approval document, final design - final plans, construction bid specifications and estimate, construction bid opening, construction support - Technical support during construction, and, construction inspection - provide on-site construction inspection and preparation of as-built plans.



The scope of work required includes the rehabilitation of a railroad bridge. The trail area is an inviting place for both pedestrians and bicyclists and once completed, will greatly benefit the community. The existing substructure elements are in good condition and can be easily rehabilitated to support the proposed trail loading. A majority of the existing steel superstructure elements is being rehabilitated and/or repaired and re-used with a minimum, if any, new additional members. In addition, the existing bridge composition will accommodate the proposed trail width cross section, and thus, provide access for the pedestrians, bicyclists, handicapped any other multi-use traffic. GPI is cognizant of the fact that rehabilitated structures often have higher than usual maintenance effort and cost. Hence, one of our goals included providing the Village of Massena with a design that minimizes future bridge maintenance. This can be achieved by use of low maintenance or maintenance free components based upon the type of deck, railing and lighting system that can be provided.



With respect to the roadway trail surface, GPI is currently investigating utilizing stone-dust, asphalt or concrete surfaces. The type of surface will be based upon the available funds, Village preference and visually appealing. Where practicable, the trail will be designed to be 8 to 10 feet wide. A section of the trail will be constructed on lands owned by the New York Power Authority (NYPA), and GPI will assist the Village in obtaining an agreement.

*Client: Village of Massena, NY; Contact: Hassan Fayed, PE, 315.769.6823*



# Rehabilitation of the Dix Bridge over the Hudson River, Saratoga & Washington Counties, NY (PIN 1758.65 | BIN 3306380)

Client:  
Saratoga County, New York



## *Underwater Inspection*

Greenman-Pedersen, Inc. (GPI) performed an underwater inspection of the Dix Bridge in Saratoga, NY. The inspection was part of a larger project to transform this historical 100 year old steel truss bridge into a pedestrian/ bikeway bridge. Of special concern were extreme scour conditions that had over time deteriorated the front nose of the pier and the supported timber crib and stone foundation. As part of the underwater investigation rehabilitation schemes were developed.

The underwater inspection was performed with a New York professional engineer/diver present supervising two diver/inspectors. National Bridge Inspection Standards (NBIS) were used in for the rating and recommendations of the substructure. Divers had been trained according to National Highway Institute standards for underwater bridge inspections.

In addition, detailed sonar images were taken to supplement the diver findings using a Mesotech 1000 imaging transducer.

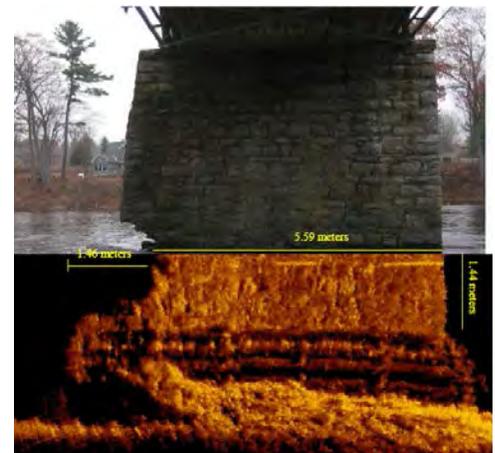
## *Total Design*

For this Locally Administered Federal Aid project, GPI provided engineering services for the bridge rehabilitation of the Dix Bridge over the Hudson River to function as a multi-use structure. This bridge is located in the Town of Northumberland in Saratoga County, New York and the Town of Greenwich in Washington County, New York. Built in 1900, the Dix Bridge is a 426'-0" long, three-span High Warren truss structure with an open steel grating deck that connects Saratoga and Washington Counties. The bridge is founded on stone masonry piers framed with timber cribbing at the riverbed. The abutments, also founded in the riverbed are constructed of stone. The bridge is currently closed to traffic. This project includes the rehabilitation of the bridge to carry pedestrians and bicyclists over the Hudson River.

GPI provided preliminary design, final design, construction support and inspection services. Design Services included topographic ground survey and mapping; environmental studies; Historic/ Archeological study; Preparation of a Design Report; development of a Bridge Conceptual Structure Plan; preparation of final design plans; preparation of Contract Specifications and Bid Documents, and conducting a bid analysis. Construction Support and Inspection Services included answering contractor questions, review of shop drawings, full time construction inspection staff, processing contractor's payment requests and maintaining project records.

Engineering cost for the design is estimated to be \$304,000.00. The construction inspection is estimated to be \$190,000.00. The construction cost of the multi-use structure was \$3,000,000.00. PS&E date was June 2012 and construction was completed in November 2013.

*Client: Saratoga County, NY, Contact: Mr. Jason Kemper, Director of Planning, 518.884.4705; jkemper@saratogacountyny.gov*



## **SECTION 4.**

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### **Project Understanding & Approach Staff Availability & Project Schedule**

## **Project Understanding & Approach**

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**GPI** has performed a site visit and reviewed all related material issued with RFP No. 1.15 and Addendum No. 1 Issued February 20, 2015. From this review we offer the following as our understanding of the project and our proposed approach.

The objective of the contract is to aid the City of Newburgh (City) in the development of the South Street Waterfront Park which is a small waterfront park located at terminus of the improved roadway section of Front Street just North of Torches on Hudson. The ultimate outcome desired for the project is the successful design and permitting for the construction of the South Street Waterfront Park funded by the New York State Department of State (Department).

The main tasks for the project include: data review and critique of the Schematic Plan Proposal; working with the City and other involved parties to discuss any minor modifications to the Schematic Plan Proposal; development of Preliminary Design documents for use in presenting the design to obtain City, public and agency support, identifying permitting needs, and evaluating any easement or ROW issues; development of Final Design documents, signed and sealed appropriately and cost estimates; preparation of related SEQRA documents prior to any actions being taken by the City; preparation of a written analysis of necessary federal, state and local permits and approvals and how the Final Design supports issuance of same; preparation of permit applications in support of the City and potentially contractors processing of required permits for construction; and as needed, providing support to ensure the City remains in compliance with State Assistance Contract No. C006953.

Our approach is further outlined below, followed by our proposed project schedule:

### **Schematic Design Phase**

- ✓ **GPI** will schedule a kickoff meeting to include appropriate staff from the Department, City, other involved agencies/parties and our firm. The meeting will establish the project objectives, review Schematic Plan Proposal modifications and review scope, budget, schedule, as well as quality parameters and required deliverables;
- ✓ We will review in detail all provided record/background material including the AutoCAD base-mapping pertinent to this contract prior to the meeting; and will develop an outline of opportunities we see, questions we have and options for expediting the completion of our work;
- ✓ Preliminary documentation will be collected relative to ultimate permitting and approvals required for the project. Strategic progression of permits and approvals will be discussed at the kickoff meeting including identifying the desired SEQRA Lead Agency and initiating the coordinated review process. Potential permitting will include Federal, New York State, and Local approvals/permits in connection with this project. Permits needed may include
  - Army Corps of Engineers - Section 10 Individual Permit;
  - New York State Department of Environmental Conservation (NYSDEC) - Protection of Waters Permit (Article 15) and Section 401 Water Quality Certification
  - New York State Department of State (NYSDOS) - Federal Consistency Assessment
  - New York State Office of General Services (NYSOGS) - License/permit to extend into waters of the State of New York

## REQUEST FOR PROPOSALS • Professional Design Services

### RFP No. 1.15; South Street Waterfront Park Final Design, City of Newburgh, NY

- City of Newburgh – State Environmental Quality Review (SEQR) approval.
- ✓ Prior to advancing to the Preliminary Design Phase, we will take the information previously gathered and prepare a final updated Schematic Plan Proposal to memorialize the collective agreements reached for the design. This information will be presented at a Public information meeting and minutes from the meeting will be generated for the City's submittal to the Department;
- ✓ "Take Away" and Deliverables from the phase of the project will include:
  - Formalizing the Project Advisory Committee
  - Setting the project schedule
  - Establishing agreement on the form of the Schematic Plan Proposal for use in developing the Preliminary Design
  - Identifying the Lead Agency, initiating coordinated review and assisting with distribution of Lead Agency request
  - Providing a written summary documenting the work completed during the Schematic Design phase.

#### Preliminary Design Phase

- ✓ It is noted in the RFP that the City plans to present the updated Schematic Plan Proposal publicly at a regularly scheduled City Council meeting, as the projects Preliminary Design. It is assumed that this presentation will meet the requirements of the Department for Task 10 – Public Meeting. **GPI** will coordinate with the City to develop the agenda, presentation content, and presentation graphics. We will present the work completed to date including alternatives evaluated and the key components of the "Preliminary Design."
- ✓ Prior to the meeting, **GPI** will advance the Preliminary Design incorporating comments and ideas generated during the Schematic Phase. **GPI** understands that there may be issues relating to site control and will assist the City, the project surveyor and potentially Title Company with resolution to site control issues. Once an understanding of site control aspects are determined, any easements needed for the project will be preliminary shown on the plan for further discussion and resolution as the design progresses.
- ✓ The Preliminary Design will provide sufficient detail to initiate discussion with permitting agencies regarding the project. **GPI** will meet with, and or correspond with these entities and will develop an outline of permit requirements and potential critical path resolution needs.
- ✓ **GPI** also proposes to develop and issue a preliminary estimate of potential costs with the Preliminary Design so that all parties have an understanding of budgetary needs and constraints prior to proceeding with Public presentation of the project and advancement to Final Design.
- ✓ Coordinated review for SEQRA will have been initiated during Schematic Design and it is assumed that the City will be the Lead Agency moving into Preliminary Design. It is anticipated that the SEQRA process can be satisfied with the completion a SEQRA Full EAF. **GPI**, on behalf of the City, will complete a draft of the Full EAF. This document will be forwarded to all involved parties for comment and will be finalized during the Final Design phase.

## REQUEST FOR PROPOSALS • Professional Design Services

### RFP No. 1.15; South Street Waterfront Park Final Design, City of Newburgh, NY

- ✓ “Take Away” and Deliverables from the phase of the project will include;
  - Update of the Schematic Plan Proposal graphics to a Preliminary Design Level suitable for Public Presentation
  - Written outline of permits, permit requirements and potential critical path resolution needs
  - Initial estimate of potential construction costs
  - Draft Full EAF
  - Coordination with the City and presentation of the Preliminary Design at a public information meeting
  - Follow-up public comments summary, design implications description and impacts to potential construction costs update.

#### Final Design Phase

- ✓ The Final Design phase will include construction documents, and project design specifications. Construction documents envisioned include the following:
  - Cover Page - Project Name, Project Address, Department and City Information, Site Location Map, and an Index of Drawings.
  - Existing Conditions - Planimetric and topographic survey provided by the City.
  - Removals and Site Stabilization Plan - will define selective site elements to be removed, demolished, or abandoned. Site stabilization measures will be noted and limits of clearing and disturbance will be defined.
  - Layout and Materials Plan - will show proposed site improvements including paving, walks and in-water structures. Layout dimensions will be provided.
  - Landscaping Plan - will include stabilization of areas disturbed by grading as well as ornamental landscaping.
  - Utility and Lighting Plan - will locate site utilities including location of site light fixtures. The use of low impact design practices will be demonstrated to minimize the need for storm water detention and large water quality management practices.
  - Grading and Erosion Control Plan - will show proposed contours along with rim elevations of drainage structures and spot elevations at critical control locations. Soil erosion and sedimentation control measures will be identified. Measures will consider the NYS Standards and Specifications for Erosion and Sediment Control.
  - Relevant Detail Sheets - Details will be developed for related site elements including revetment details and in-water structure shoreline anchoring details.
  - Design specifications will be completed in support of design elements depicted on the Construction Plans
- ✓ A final Estimate of Potential Costs will be prepared during Final Design and reviewed with the Department and City to ensure that budgetary considerations are incorporated into the Final Design product;
- ✓ Final permit applications will be prepared and submitted as and when requested by the City;
- ✓ **GPI** will assist the City in making its final SEQRA determination and will coordinate issuance of SEQRA compliance documentation

**REQUEST FOR PROPOSALS • Professional Design Services**

**RFP No. 1.15; South Street Waterfront Park Final Design, City of Newburgh, NY**

- ✓ Finally, **GPI** will work with the City to ensure that all Department required criteria at met to conform to the criteria of the City's "State Assistance Contract No. C0006953 Program Work Plan" requirements.

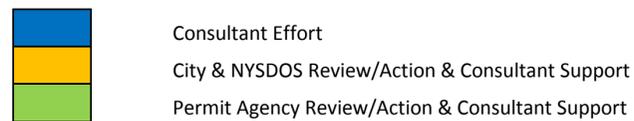
We wish to also point out that **GPI** can assist the City with Construction Bid Document coordination, assistance during bidding and construction phase inspection and administration when the time comes to move forward with these services.

**GPI's** proposal is valid for a period of forty-five (45) days subsequent to submission on February 25, 2015 and may be negotiated for a longer period if under serious consideration by the City of Newburgh for award.



**RFP No. 1.15**  
**South Street Waterfront Park Final Design**  
**City of Newburgh**

	3/6/15	3/13/15	3/20/15	3/27/15	4/3/15	4/10/15	4/17/15	4/24/15	5/1/15	5/8/15	5/15/14	5/22/15	5/29/15	6/5/15	6/12/15	6/19/15	6/26/15	7/3/15	7/10/15	7/17/15	7/24/15	7/31/15	8/7/15	8/14/15	8/21/15	8/28/15	9/4/15	9/11/15	9/18/15	9/25/15	10/2/15	10/9/15	10/16/15					
<b>Contract Award Period</b>																																						
<b>Schematic Design Phase</b>																																						
a. Kickoff Mtg & Prep																																						
b. Background Review																																						
c. Initial Permits & SEQRA																																						
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f. Support SAC No. C0006953																																						



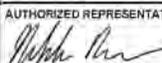
# **SECTION 5.**

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## **Insurance Statement**

# Insurance Requirements

**GPI/Greenman-Pedersen, Inc.** maintains the insurance required under New York State law, and upon selection, will provide insurance coverage with the City named as the insured and in the amounts stated in the insurance and security requirements. A sample insurance certificate is included below.

		<b>CERTIFICATE OF LIABILITY INSURANCE</b>		DATE (MM/DD/YYYY) 2/23/2015		
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.						
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).						
PRODUCER PG Genatt Group LLC 3333 NEW HYDE PARK RD SUITE 409 NEW HYDE PARK NY 11042			CONTACT NAME: KARL HUCKE PHONE (A/C. No. Ext): 516-869-8788 FAX (A/C. No.): 1-516-706-2973 E-MAIL: ADDRESS: mbuonomo@genattgrp.com INSURER(S) AFFORDING COVERAGE: NAIC #			
INSURED GREENMAN Greenman Pedersen, Inc. 325 West Main Street (Albany) Babylon NY 11702			INSURER A: AGCS Marine Insurance Company INSURER B: Liberty Insurance Corp INSURER C: Ironshore Indemnity Inc INSURER D: First Liberty Insurance Corp INSURER E: Liberty Mutual Fire Insurance Co INSURER F: L.M. Insurance Corp. & Affiliates I			
COVERAGES		CERTIFICATE NUMBER: 213143936		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR. WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
D	GENERAL LIABILITY		TB6Z11260851014	12/31/2014	12/31/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COM/POP AGO \$2,000,000
SAMPLE						
E	AUTOMOBILE LIABILITY		AS2Z11260851264	12/31/2014	12/31/2015	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	UMBRELLA LIAB		TH7Z11260851024	12/31/2014	12/31/2015	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000
F	WORKERS COMPENSATION AND EMPLOYERS LIABILITY		WA5Z1D260851254	12/31/2014	12/31/2015	WC STATUTORY LIMITS OTHER \$1,000,000 E & L EACH ACCIDENT \$1,000,000 E & L DISEASE - EA EMPLOYEE \$1,000,000 S & L DISEASE - POLICY LIMIT \$1,000,000
A	Property Professional Liability		MX193055344 001548101	12/31/2014 6/30/2014	12/31/2015 6/30/2016	Valuable Papers \$150,000 Each Claim \$5,000,000 Aggregate \$10,000,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES: (Attach ACORD 101, Additional Remarks Schedule, if more space is required)						
*WORKERS COMPENSATION NOT APPLICABLE IN MONOPOLISTIC STATES - OH, ND, WA, WV, WY* FOREGOING PER POLICY FORM						
RE: Dam Safety Compliance: RFP #2015-11 Additional Insured Status Encompasses General Liability Coverage. Primary Insurance Status Encompasses General Liability Coverage on a Non-Contributory Basis. Waiver of Subrogation Status Encompasses General Liability, Automobile, Umbrella and Workers Compensation Coverage as required by written contract. City of Saratoga is included as additional insured as required by written contract.						
CERTIFICATE HOLDER			CANCELLATION 30 day notice applies			
City of Saratoga Springs, New York 474 Broadway Saratoga Springs NY 12866			SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 			

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# **SECTION 6.**

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## **Cost Proposal**



**GPI/Greenman-Pedersen, Inc.**  
 80 Wolf Road, Suite 300, Albany, NY 12205  
 p: 518.453.9431 • f: 518.453.9458

**Consultant Fee Estimate Worksheet**

**Proposal**

<b>Landscape Architectural, Planning and Civil Engineering Services</b>	<b>South Street Waterfront Park Final Design</b>	Date: 2/25/2015
		Phase: Fee Proposal
		Agency: City of Newburgh
		Contact: John J Aber
		Prepared By: John Montagne, RLA

**Breakdown of Tasks** *Note: The following quote is being provided in good faith from the available project information provided.*

Task Description	Employee Hours per Task						Total Hours
	Employee Title	Project Manager/ Design Lead	Q/A Engineer	Sr. Environ Scientist	Project Engineer	Design Engineer	
<b>Schematic Design</b>							
a. Kickoff Mtg & Prep		6.00		2.00		8.00	<b>16.00</b>
b. Background Review		4.00		2.00	6.00	6.00	<b>18.00</b>
c. Initial Permits & SEQRA		4.00		16.00	2.00		<b>22.00</b>
d. Update Schematic Plan Proposal		16.00	1.00		4.00	24.00	<b>45.00</b>
<b>Preliminary Design Phase</b>							
a. Public Meeting		8.00			4.00	4.00	<b>16.00</b>
b. Advance Preliminary Design		16.00			8.00	24.00	<b>48.00</b>
c. Permit Draft & CP resolution		8.00	1.00	16.00	4.00		<b>29.00</b>
d. Preliminary estimate of costs		4.00	1.00		8.00	16.00	<b>29.00</b>
e. SEQRA Coord & FEAF		6.00				4.00	<b>10.00</b>
<b>Final Design Phase</b>							
a. Construction Drawings		12.00	1.00		8.00	36.00	<b>57.00</b>
a. Design Specifications		4.00	1.00		2.00	6.00	<b>13.00</b>
b. Estimate of Potential Cost		4.00	1.00		4.00	4.00	<b>13.00</b>
c. Final Permit Applications		1.00	1.00	24.00			<b>26.00</b>
d. SEQRA Compliance		4.00				4.00	<b>8.00</b>
e. Support SAC No. C0006953		8.00		8.00	8.00	16.00	<b>40.00</b>
<b>Subtotal Employee Hours</b>		105.00	7.00	68.00	58.00	152.00	<b>390.00</b>
<b>x Hourly Rate</b>		\$68.00	\$74.00	\$47.50	\$41.50	\$28.50	
<b>Total Direct Cost</b>		\$7,140.00	\$518.00	\$3,230.00	\$2,407.00	\$4,332.00	<b>\$17,627.00</b>
							<b>x Multiplier</b>
<b>Total Personnel Days</b>		<b>48.75</b>					<b>Total Consultant Labor</b>
							<b>\$39,660.75</b>

**Reimbursable Expenses: (when required)**

	No.	Contract Rate	
<b>A.</b> Mileage	<b>500</b>	miles @ \$0.50	<b>\$250.00</b>
<b>B.</b> Mailings			<b>\$50.00</b>
<b>Total Reimbursable Expenses</b>			<b>\$300.00</b>
<b>Total Lump Sum Fee</b>			<b>\$39,960.75</b>

Invoices will be issued monthly for % of work completed each month. Billing terms are Net 30 days unless negotiated otherwise with the City of Newburgh during Contract Award

## **SECTION 7.**

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### **Required Form**

- *Non-Collusive Bidding Affidavit*

**NON-COLLUSION BIDDING AFFIDAVIT**

**City of Newburgh, New York**

**Work:** RFP for Professional Design Services related to the South Street Waterfront Park Final Design - RFP #1.15

State of New York )  
County of Albany ) SS:  
)

I, Fred C. Mastroianni of the (Town, Village)  
City) of Glenville in the County of Schenectady and  
the State of New York of full age, being duly sworn according to law  
on my oath depose and say that:

I am Vice President, an officer of the firm  
of GPI/Greenman-Pedersen, Inc. the Bidder/Proposer making  
the Proposal for the above named work, and that I executed the said Proposal with full authority to do  
so; that said bidder has not, directly or independently, entered into any agreement, participated in any  
collusion, or otherwise in connection with the above named work; and that all statements contained in  
said Proposal and in this affidavit are true and correct, and made with the full knowledge that the City  
of Newburgh, NY as Owner relies upon the truth of the statements contained in said Proposal and in  
the statements contained in this affidavit in awarding the contract for said work.

I further warrant that no person or selling agency has been employed or retained to solicit or secure  
contract upon an agreement or understanding for a commission, percentage, brokerage or contingent  
fee, except bonafide employees or bonafide established commercial or selling agencies maintained by  
GPI/Greenman-Pedersen, Inc.

(Name of Contractor)

Subscribed and sworn to: Fred C. Mastroianni  
(Signature of Affiant above in **BLUE** Ink; type or print name/title below)

Name: Fred C. Mastroianni Title: Vice President

before me this 19th day of February, 2015

State of New York; No. 01DE612  
Notary Public of:

My commission expires: 06/06/2017

Cheryl C. DeMase

AFFIX NOTARY SEAL OR STAMP IN THIS BOX  
  
CHERYL C. DeMASE  
Notary Public, State of New York  
Qualified in Albany Co., No. 01DE6128228  
Commission Expires June 6, 2017

**THIS AFFIDAVIT MUST BE COMPLETED BY ALL BIDDERS**

---

**GPI** Greenman-Pedersen, Inc.

Engineering and Construction Services

**Teamwork | Quality | Commitment**

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RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL  
AND EXECUTE AN AGREEMENT WITH THE CHAZEN COMPANIES  
FOR THE STRUCTURAL EVALUATION OF VACANT BUILDINGS  
AT A COST NOT TO EXCEED \$15,000.00**

**WHEREAS**, the City of Newburgh has issued a Request for Proposals (“RFP”) No. 2.15 for Professional Engineering Services related to the Structural Evaluation of Vacant Buildings; and

**WHEREAS**, the City of Newburgh received thirteen (13) responses to the RFP, and after review the City of Newburgh wishes to accept a proposal and execute an agreement with The Chazen Companies for the structural evaluation of a pre-selected list of 21 vacant properties with known deficiencies located in the City of Newburgh; and

**WHEREAS**, the proposal includes on-site structural evaluation, assessment report and planning documents, and post assessment meetings and site visits; and

**WHEREAS**, the cost for these services will be \$15,000.00 and funding shall be derived from CDBG Funds; and

**WHEREAS**, the City Council has reviewed the annexed proposal and has determined that such work would be in the best interests of the City of Newburgh;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept a proposal and execute an agreement with The Chazen Companies for structural evaluation of vacant buildings at a cost of \$15,000.00.



# CITY OF NEWBURGH

Proposal for Structural Engineering Services





Engineers  
Land Surveyors  
Planners  
Environmental & Safety Professionals  
Landscape Architects

**Hudson Valley Office**

21 Fox St., Poughkeepsie, NY 12601  
P: (845) 454-3980 F: (845) 454-4026  
[www.chazencompanies.com](http://www.chazencompanies.com)

Capital District Office (518) 273-0055

North Country Office (518) 812-0513

February 27, 2014

John J. Aber  
City Comptroller  
City of Newburgh  
83 Broadway – 4<sup>th</sup> Floor  
Newburgh, New York 12550

Re: *Request for Proposals for Professional Engineering Services related to the Structural Evaluation of Vacant Buildings.  
RFP No. 2.15*

Dear Mr. Aber,

The Chazen Companies (Chazen) is pleased to provide the following proposal for structural engineering services to the City of Newburgh. This proposal details the qualifications of Chazen as a firm and the specific qualifications and availability of our staff to perform the scope of services detailed in this proposal. We are currently providing environmental services to the City working with Jason Morris, at the DPW Garage and associated landfill. We would be delighted to expand the services we are providing to the City through this contract.

Chazen has over 60 years of experience providing quality engineering services to municipal and private clients throughout the Capitol Region and Hudson Valley. Included in Chazen's wide range of services is a strong and experienced structural engineering group. The individuals that comprise the project team have over 70 years of experience including many projects within and for the City of Newburgh.

Chazen is pleased to partner with TAP, Inc, a community design and development center that provides design and planning services for area municipalities to restore under-utilized and vacant properties, on this project. Joe Fama and his team at TAP, Inc. are intricately involved in the Albany County Land Bank Corporation and is experienced in developing evaluation criteria and opinions of probable restoration cost for vacant structures.

Our corporate headquarters is located in the Hudson Valley at our Poughkeepsie office. The combination of this proximity as well the resources assigned will allow Chazen to provide rapid evaluation, accurate cost-benefit analysis and professional recommendations regarding the vacant properties. Chazen has worked with the City of Newburgh in the past and we look forward to this opportunity to provide additional professional services.

Sincerely,

Joseph M. Lanaro, PE, M.ASCE  
Principal  
Vice President, Engineering

# Contact Information

## The Chazen Companies

Chazen Engineering, Land Surveying & Landscape Architecture Co., D.P.C.  
Chazen Environmental Services, Inc.  
Saratoga Safety, LLC

Contact: Joseph M. Lanaro, P.E., M.ASCE  
Principal, Vice President Engineering  
Phone: 518- 266-7305  
Email: [jlanaro@chazencompanies.com](mailto:jlanaro@chazencompanies.com)

## Hudson Valley Office

21 Fox Street  
Poughkeepsie, New York 12601  
P: 845-454-3980 F: 845-454-4026

## Capital District Office

547 River Street  
Troy, New York 12180  
P: 518-273-0055 F: 518-273-8391

## Saratoga Safety Office

267 Ballard Road, Suite 3  
Wilton, NY 12831  
P: 518-226-0300 F: 518-226-0303

## North Country Office

375 Bay Road  
Queensbury, New York 12804  
P: 518-812-0513 F: 518-812-2205

## Form of Business

Design Professional Corporation

## Ownership of Business:

### *Senior Principals:*

Richard H. Chazen, P.E.  
Daniel W. Stone, P.E.

### *Principals:*

Mark A. Kastner, P.E., President  
Steven J. Alex, L.S., Vice President, Land Surveying  
Joseph M. Lanaro, P.E., Vice President, Engineering  
Christopher Round, AICP, Vice President, Planning Services  
Russell Urban-Mead, CPG, LEED® AP, Vice President, Environmental Services  
Lauren Gillett, PHR, Vice President, Human Resources

### *Associates:*

James Connors, P.E., Senior Director, Land Development  
Roger Keating, P.E., LEED® AP, Director, Land Development  
James "Andy" Rymph, RLA, LEED® AP, Director, Landscape Architecture  
Peter Romano, P.E., Director, Land Development  
Chris Lapine, P.E., Director, Land Development  
Eric Johnson, P.E., LEED® AP, Director, Municipal Engineering  
Sean M. Doty, P.E., LEED® AP, Senior Project Engineer

[chazencompanies.com](http://chazencompanies.com)

Toll Free: 888-539-9073

[saratogasafety.com](http://saratogasafety.com)



Engineers ♦ Land Surveyors ♦ Planners ♦ Environmental & Safety Professionals ♦ Landscape Architects



# Table of Contents

1. Firm Introduction
2. Scope of Services
3. Project Team
4. Related Experience
5. QA/QC Program
6. References
7. Cost Proposal
8. Project Staff Resumes

# 1. Firm Introduction



## Firm Introduction

The Chazen Companies (Chazen) was founded in the historic Hudson Valley region of New York in 1947. We provide engineering, land surveying, planning, environmental and safety consulting and landscape architectural services to clients throughout the Northeast. We focus on creating effective, long-term partnerships while delivering world class levels of performance from our offices in the Hudson Valley, Capital District and North Country of New York.

Chazen is an employee-owned firm representing municipalities, agencies, developers, landowners, utilities, institutions, industries and not-for-profits. Many of our staff are LEED certified. We closely review emerging technologies and practices to ensure that our clients are introduced to high-value, reliable, cost-effective practices.

From project concept to completion, we collaborate closely with clients, taking a customized approach to every project.

Chazen is experienced in assessing the condition of deteriorated building structures. We have the expertise to not only identify structural and building envelope deficiencies, but to identify the source of the symptoms and provide efficient and effective recommendations. In addition to our building condition assessment experience, all of our structural engineers are trained in the emergency evaluation of structures per ATC-45. With a strong project team versed in structural engineering and building envelope science, proximity of our Poughkeepsie office and experience working in the City, we feel Chazen can provide the services detailed in this proposal.

## Areas of Practice

- Brownfield Redevelopment
- Civil Engineering
- Code Compliance
- Construction Observation and Inspection
- Ecological Studies
- Environmental Remediation
- Environmental Risk Management and Asset Protection
- Environmental Site Assessments
- Forensic Investigations
- Geographic Information Systems
- Geotechnical Engineering
- Grantsmanship
- Land Surveying
- Land Use and Comprehensive Planning
- Landscape Architecture
- Parks and Recreation Planning and Design
- Public Participation
- Regulatory Compliance and Permitting
- SEQRA and NEPA Compliance
- Site Planning and Design
- Solid Waste Management
- Stormwater Management
- Structural Engineering
- Transportation Planning and Engineering
- Utility Engineering
- Visual Impact Assessment and Simulation
- Wastewater Collection, Treatment and Disposal
- Water Resource Development
- Water Supply, Treatment and Distribution
- Wetland Delineation and Permitting
- Zoning Approvals and Permitting

# 1. Project Team

Chazen staff is our most valuable asset. Most of our professionals are licensed and certified, and we encourage them to continuously advance their skills throughout their careers.

We invest in the most advanced internal infrastructure. Our tools and equipment, for example, include the most sophisticated electronic and robotic instrumentation on the market. The company's computer systems are the newest generation, too. Linking all of our offices, they ensure that we serve clients with maximum speed, ease, and cost-effectiveness.



Chazen engineers work closely with our in-house safety professionals and are well equipped to establish an effective Emergency Action Plan for individual properties and entire municipalities. The primary staff members assigned to this contract are OSHA certified for confined space entry, have OSHA 40 hour HAZWOPER certification and are fit tested for full-face respirators. In addition, members of our project team are trained in the emergency evaluation of structures utilizing ATC-45.

Each team and its members are approved by one of our two company principals to ensure the proper assets are provided to each project. Key members for structural engineering support to the City of Newburgh are as follows. Resumes for project staff in Section 8.

## CHAZEN PROJECT TEAM

### **JOSEPH LANARO, PE**

*VICE PRESIDENT ENGINEERING SERVICES*

*ROLE: PRINCIPAL IN CHARGE AND QA/QC (SENIOR PROFESSIONAL)*

Mr. Lanaro is the Vice President of Engineering for *Chazen*. With over 27 years of cumulative experience, he brings a wealth of knowledge to the project team. Mr. Lanaro's principal role will be to ensure that the project team has the adequate labor and technical resources to complete work under this assignment and will have direct accountability for *Chazen's* performance and quality control.

### **MICHAEL BARON, PE**

*STRUCTURAL ENGINEER*

*ROLE: PROJECT MANAGER / STRUCTURAL ENGINEER (PROFESSIONAL I)*

Mr. Baron will act as Project Manager and Engineer overseeing the investigation and preparation of deliverables by the *Chazen* team. Mr. Baron is experienced in the assessment of existing residential, commercial and industrial structures, the restoration of deteriorated concrete structures, the design of new commercial structures, and performing building code studies.

### **LANSON COSH, PE**

*STRUCTURAL ENGINEER*

*ROLE: STRUCTURAL ENGINEER (PROFESSIONAL I)*

Mr. Cosh has experience with multiple aspects of structural engineering including: high rise, commercial, residential, schools, hospitals, DoD, FAA, piers, and transportation hubs. Prior to joining *Chazen*, Mr. Cosh gained valuable experience designing high profile buildings and structures in New York City and Honolulu. In addition, he has experience performing building inspections for the City of New York under their Local Law 11 façade inspection requirements. Mr. Cosh will assist performing structural evaluations and preparing recommendations and deliverables.

# 1. Project Team

## **EDWARD LARKIN, PE, LEED AP**

*MANAGER, CODE COMPLIANCE GROUP*

*ROLE: ENGINEER (PROFESSIONAL I)*

Mr. Larkin has extensive experience in completing projects for municipal clients as a member of the Municipal Engineering Group. In this time Mr. Larkin has worked on a wide range of structural engineering projects from assessment and evaluation to design and construction, and will assist performing structural evaluations and preparing recommendations and deliverables. Mr. Larkin is also responsible for coordinating our code review focusing on municipality support services.

## **MICHAEL WASICZKO**

*ROLE: ASSISTANT ENGINEER (TECHNICIAN I)*

Mr. Wasiczko assists both the Structural Engineering and Code-Compliance Groups here at Chazen. Mr. Wasiczko has experience in performing building code compliance inspections, overseeing construction projects, performing field quality control inspections and designing new building structures and systems. Mr. Wasiczko will be assisting the field assessment of the subject structures and the preparation of assessment reports.

## **CHAZEN PARTNERING FIRM – TROY ARCHITECTURAL PROGRAM, PC (TAP, INC.)**

Chazen will be partnering with TAP, Inc., a community design and development center established in 1969 which provides design and planning services for area municipalities, to utilize their experience and abilities in assessing under-utilized structures and developing strategies for their renewal.

## **JOE FAMA, RA**

*ROLE: EXECUTIVE DIRECTOR OF TAP, INC. (SENIOR PROFESSIONAL)*

Mr. Fama is the Executive Director of TAP, Inc. and has extensive experience with the Albany Land Bank and specializes in assessing deteriorated structures, determining their current and potential value to municipalities, and developing innovative methods of restoring under-utilized structures to benefit communities.

Mr. Fama and his team will be assisting Chazen determining the value of these vacant structures and providing recommendations for the City of Newburgh based upon his experience with the City of Albany and other area municipalities.

## **MICHAEL LOPEZ**

*ROLE: AFFORDABLE HOUSING AND COMMUNITY PLANNING SPECIALIST (PROFESSIONAL I)*

Mr. Lopez is a specialist in affordable housing, neighborhood and community planning and historic preservation at TAP, Inc. Mr. Lopez has coordinates residential and downtown revitalization programs sponsored by the New York State Division of Housing and Community Renewal. He has worked closely with private developers and governments to help plan and market the revitalization of individual buildings and neighborhoods in the Capital Region. Mr. Lopez will assist Chazen in determining the value of these vacant structures and providing recommendations for their renewal.

## 2. Project Schedule

### Availability of Work

The Chazen Companies and our partners at TAP, Inc. are both available to support the City in performing this work in the Spring of 2015.

Our teams are both currently working on engineering and assessment projects and have limited availability in March 2015. Chazen-led teams can be scheduled to perform the on-site assessment work in Early April 2015 and engage the services of our partners at TAP, Inc. in Late April and May of 2015.

### Proposed Project Schedule

The following schedule is the projected timeline for development of the project. The project timeframes have been established to work from an assumed award date of March 23, 2015. These timeframes are subject to change depending upon the date of authorization and the availability and needs of City officials. A final project schedule will be developed in consultation with the City upon authorization during our scheduling work in Task 1a.

<u>Task</u>	<u>Description</u>	<u>Anticipated Timeframes</u>
--	Authorization	March 23, 2015 (Assumed)
1a	Coordination with City Officials, Schedule Visits	March 30, 2015 – April 3, 2015
1b	Site Assessments	April 6, 2015 – April 15, 2015
1c	Post Evaluation Discussion with City Officials	April 17, 2015
--	Task 1 Complete	Late April 2015
2a	Discussion with City Officials, Define Report Criteria	Early May 2015
2b	Building Assessment and Recommendation Reports	May 4, 2015 – May 15, 2015
2c	Priority Action List and Planning Document	May 18, 2015 – May 22, 2015
--	Task 2 Complete	Late May 2015
3	Post Assessment Meetings and Site Visits	As requested by City

## 3. Related Experience

### REPRESENTATIVE PROJECTS

#### **CONDITION ASSESSMENT OF SIX RESIDENTIAL PROPERTIES WITHIN THE CITY OF TROY**

*TROY, NEW YORK*

Chazen performed an emergency condition assessment of six residential properties within the City of Troy including 3029 Seventh Ave., 220 Fourth Ave., 878 Third Ave., 425 Williams St., 482 Third Ave. and 111 Mill St. The buildings were in various states of partial collapse and posed a safety concern. Chazen provided immediate inspections and recommendations regarding the stability of the structures.

#### **247 GREEN STREET EMERGENCY BUILDING CONDITION ASSESSMENT**

*ALBANY, NEW YORK*

Chazen performed an emergency condition assessment of the building located at 247 Green Street in the City of Albany. The building had a failure of a portion of the wall at the second floor level as well as two sections of the parapet wall and was evaluated to verify if it was structurally stable or posed an immediate safety concern to the public.

#### **54 CLINTON AVENUE EMERGENCY BUILDING CONDITION ASSESSMENT**

*ALBANY, NEW YORK*

Chazen performed an emergency condition assessment of the building located at 54 Clinton Avenue in the City of Albany. The building was evaluated to determine if it was structurally stable following a structure fire or posed an immediate safety concern to the public. The building was in such poor condition that interior inspection could not be performed. The structure was evaluated from exterior openings as well as adjacent roofs.

#### **NYSOGS - PN44772**

#### **EVALUATE AND DEMOLISH UNSAFE BUILDINGS HUDSON RIVER PSYCHIATRIC CENTER**

*POUGHKEEPSIE, NEW YORK*

Chazen performed an existing condition assessment of two building located at the Hudson River Psychiatric Center in the City of Poughkeepsie. Both buildings were significantly deteriorated due to being vacant for a significant period of time and the evaluation was performed to determine if the buildings were structurally stable and safe to perform asbestos abatement. One building, constructed of unreinforced masonry was determined to be unsafe while the second, constructed of wood framed constructed was found to be safe.

#### **NYS OGS MT. MCGREGOR CORRECTIONAL FACILITY DECOMMISSIONING**

*WILTON, NEW YORK*

Chazen provided engineering assessment and project management services to decommission a 64-building, 1200-acre correctional facility in 2014. Working alongside OGS, Chazen provided design coordination of multi-partner teams, prepared and implemented OGS schedules and documentation, and provided construction oversight. Chazen personnel visually assessed the structure and envelope systems for each building, identified deficiencies, prepared concept-level recommendations for each and cataloged our observations for use by our field and OGS personnel.

#### **NYS OGS BEACON CORRECTIONAL FACILITY DECOMMISSIONING**

*BEACON, NEW YORK*

Chazen provided engineering assessment and project management services to decommission a 21-building, 105-acre correctional facility in 2013. Working alongside NYSOGS, Chazen provided design coordination of multi-partner teams, prepared and implemented OGS schedules and documentation, and provided construction oversight. Chazen personnel visually assessed the structure and envelope systems for each building, identified deficiencies, prepared concept-level recommendations for each and cataloged our observations for use by our field and OGS personnel.



Engineers ♦ Land Surveyors ♦ Planners ♦ Environmental & Safety Professionals ♦ Landscape Architects

## 3. Related Experience

### TERM CONTRACTS

Chazen has been providing municipalities and governmental agencies with professional services for over 40 years. In the last few years we have been providing these services for some of the most significant projects in the Hudson Valley and across New York State. Governmental agencies we have had term assignments with include the following.

#### STATE UNIVERSITY OF NEW YORK AT ALBANY CAMPUS ENGINEERING TERM CONTRACT 2007-2011

Chazen has had two successive term contracts with SUNY Albany spanning six years. The primary focus has been for rehabilitation of pedestrian and parking facilities. Some of the more significant projects we have completed include the construction of the Purple Path as well as major rehabilitation of the Dutch Quad.



#### NYS OFFICE OF PARKS RECREATION & HISTORIC PRESERVATION ENGINEERING TERM CONTRACT 2010-2013 D004027, D004028 & D004029

Chazen was awarded a three year term assignment with the NYS Office of Parks, Recreation and Historic Preservation's Saratoga, Palisades and Taconic Regions. Assignments from this contract included project design, phase studies, investigations, assessments, reports and related services in support of the capital program for parks facilities. Discipline specific work has included buildings, MEP building systems, utilities, roads/bridges, dams, water/sewer systems, recreational sites and other supporting infrastructure.



#### NYS OFFICE OF GENERAL SERVICES ENVIRONMENTAL ENGINEERING TERM CONTRACT 2006-2011 DOS2412; 2009-2012 DOS4993



Chazen has had the privilege to be awarded three consecutive term assignments with the NYSOGS for environmental engineering services statewide. We have completed over 80 individual projects varying in scope and complexity. The work we have completed has taken us throughout the state and has included assignments for numerous client agencies. We have completed water supply, treatment and distribution, wastewater treatment evaluations and rehabilitation, sewer system evaluations, landscape architecture, SEQRA reviews, highway design, landfill monitoring and compliance monitoring and land surveying.

### CHAZEN'S OTHER TERM CONTRACTS:

#### STATE AGENCY TERM CONTRACTS

- **NYS Office of General Services**  
OCFS Site / Utility Engineering Term Contract  
2012-2017  
Contract DOS6871
- **NYS Office of General Services**  
Land Survey Term Contract  
2002-2007  
Contract DOS8845  
2007-2011  
Contract DOS2827
- **Dormitory Authority of the State of NY**  
Environmental Consulting Term Contract  
2011-2014
- **NYS Department of Transportation**  
Ecological Services Term Contract  
2007-2011  
Contract DOS15617
- **Harriman Development Corp (Empire State Development)**  
Campus Engineer / Planner  
2011-2013



Engineers ♦ Land Surveyors ♦ Planners ♦ Environmental & Safety Professionals ♦ Landscape Architects

# 3. Related Experience

CONDITION ASSESSMENT WORK ON BEHALF OF THE ALBANY COUNTY LAND BANK  
ALBANY, NEW YORK



Joe Fama and his team at TAP, Inc. are intricately involved with the evaluation and assessment of several under-utilized and vacant building structures through his work with the Albany County Land Bank, in Albany, New York. The Albany County Land Bank is a not-for-profit organization whose goal is the eliminating blight from neighborhoods, re-purposing vacant and abandoned properties, and advising and providing planning services to municipalities by taking a comprehensive view of community needs and assets.



Engineers ♦ Land Surveyors ♦ Planners ♦ Environmental & Safety Professionals ♦ Landscape Architects

### 3. Related Experience



444 River Street



433 River Street



547 River Street



599 River Street

TAP is surveying seven former factories along the Hudson River shoreline in Troy, NY, documenting their history to lay the groundwork for National Register nomination. The National Register listing of these buildings — four of which are empty and ripe for redevelopment — would allow owners to access state and federal tax credits equaling 40 percent of the rehabilitation cost.

The Preservation League of New York State in August 2012 awarded the City of Troy \$5,000 to study the buildings' historic significance; the city in turn hired TAP as consultant, which has since been researching the buildings. Together, they strongly represent 19th century industrial Troy, particularly collar and cuff manufacturing. For such sizeable projects, the tax credits create upfront equity for developers to invest in the project.



701 River Street



621 River Street



669 River Street



Preserve New York, Factories Study

## 3. Related Experience



### The Conservatory

*65 Third Street, Troy, New York*

*TAP was responsible for Part I and II of the tax act application. In addition, TAP prepared Building Permit drawings and code evaluation for the adaptive use of this landmark former department store as 19 apartments. The project was completed and the building is occupied.*



### Academy Lofts, 1906

*Albany, New York*

*The former St. Joseph's Academy, a vacant parochial school, is being developed to accommodate 22 affordable apartments with civic space for production of art and community use.*

*TAP worked on construction documents, then in 2011 secured federal and state*



TAP provides historic preservation consulting services to architects and owners on tax act projects in the Capital District. Four recent examples are listed above.

2013

Historic Tax Credit Projects

## 4. Scope of Services

### Project Understanding

- The City of Newburgh has been negatively impacted for financially and socially by the collapse of several vacant, deficient building structures within the city limits. These recent collapses have revealed the need for a comprehensive structural evaluation of the stability of these properties to prevent future impacts to the public's health and safety, and to allow the City to plan financially for the burden of stabilizing and/or demolishing these structures in the future.
- The City is seeking an engineering firm that specializes in structural engineering to perform and subcontract an array of professional services for the purpose of evaluating the structural stability of 21 vacant properties with known deficiencies, to identify potentially unsafe conditions and to recommend a course of action to City Planners.
- While the City does not foresee significant security threats at the vacant properties, the City shall provide Fire Department personnel to accompany the evaluation team during the assessment work. The City shall provide Police personnel, if special circumstances warrant the need. The addresses of these properties are listed in the RFP provided to us by the City.
- While we understand that the City is specifically excluding hazardous material building condition surveys from this proposal, it is Chazen's experience that removal and stabilization of hazardous materials (i.e. asbestos, lead-containing paint, PCBs, etc.) can be a significant cost of the demolition or rehabilitation of vacant structures. Chazen's environmental team is experienced in performing these assessments, and we advise that the City engage Chazen to perform this survey work as an additional service, especially if more accurate opinion of probable construction costs are required.

# 4. Scope of Services

## Scope of Services

Based upon our understanding of the project and our past experiences, the following are the services that we believe are necessary to fulfill the City's objectives:

### 1. On-Site Structural Evaluation

- a. Coordination with City Officials, Schedule Visits: Chazen will coordinate with City Officials via telephone calls and e-mail to schedule site visits to each of the listed properties. Chazen is intending to schedule three, full days of field assessment work in collaboration with City personnel (i.e. project managers, building inspectors, fire department, police department, etc.).
- b. On-Site Field Assessments: Chazen will travel to each of the subject structures to visually assess the condition of the building structure and to generally evaluate the condition of the property, subject to the limitations provided herein. Our work will be in general conformance with selected portions of: *Structural Engineering Institute/American Society of Civil Engineers Standard 30-00, Guideline for Condition Assessment of the Building Envelope (SEI/ASCE 30-00)* and the *Structural Engineering Institute/American Society of Civil Engineers Standard 11-99, Guideline for Structural Condition Assessment of Existing Buildings (SEI/ASCE 11-99)*, and performed in a manner tailored to the needs of the City and this project.

Chazen understands that access will be provided to the interior of each building by City personnel and that electricity will not be available. Chazen reserves the right not to enter any structure, or any portion of any structure, that we believe are unsafe for our field teams.

Chazen will immediately notify the City of any unsafe condition that we believe poses an immediate threat to the public at large (i.e. risk of portions of the building collapsing onto neighboring buildings or into public right-of-ways). Chazen will assume that the buildings are to remain secure and vacant, and we shall not consider locally deteriorated conditions inside of the building (i.e. loose floor boards, missing interior steps, etc.) a threat to the public at large, unless specifically directed by the City. Chazen is assuming that the Fire Department is currently aware of the deteriorated condition of these buildings and has a plan in-place to respond to emergencies in a safe manner.

Chazen has budgeted one site visit per building and three days of field assessment time for our teams. If our assessment work cannot be performed within this three day window due to scheduling issues with the City or security concerns, Chazen will notify the City and provide an update to our budget estimate for the City's review and approval. Travel expenses such as mileage and tolls shall be billed to the City as a reimbursable expense. Additional visits or assessment work may be provided as an additional service, at the request of the City.

- c. Post Evaluation Discussion with City Officials: Chazen will coordinate with City Officials via telephone calls and e-mail to discuss the assessment work.

# 4. Scope of Services

## 2. Assessment Report and Planning Documents

- a. Post Evaluation Discussion with City Officials: Chazen will coordinate with City Officials via telephone calls and e-mail to establish evaluation criteria for each structure and to develop standard reporting templates suitable for City planning purposes. If requested, Chazen can attend an in-person meeting with the City as an additional expense.
- b. Building Assessment and Recommendation Reports: Chazen will prepare an assessment and recommendation report for each subject structure based upon our field survey work. Each report is envisioned to be a three to five page letter report containing the following:
  - i. A general description of the building structural system, intended occupancy and distinguishing features, including representative photographs taken during our assessment;
  - ii. An assessment of the building structure, highlighting any conditions that pose a safety hazard to the public at large and general deficiencies that would prohibit occupancy in the future;
  - iii. A general assessment of the overall condition of the building, including the interior spaces and finishes and the surrounding property, and observed conditions that may complicate the demolition or rehabilitation of the structure;
  - iv. An assessment on the salvagability of the building structure, with supporting opinion of probable costs for the restoration / demolition of the structure vs the current / future value of the property to the community.
- c. Priority Action List and Planning Document: Chazen will prepare a planning document that priorities our recommendations for the City's use. This document shall incorporate the evaluation criteria developed in consultation with the City. Chazen envisions this planning document shall be organized in a spreadsheet-style format for ease of use. If requested, Chazen may also provide the City with a sortable database in Microsoft Excel format for the City's use.

## 3. Post Assessment Meetings and Site Visits

Chazen will host one conference call / WebEx meeting to review our findings and recommendations with City Officials after submission of the Assessment Reports and Planning Documents prepared in Task 02.

Chazen will be available to attend additional meetings with via telephone, WebEx and/or in-person meetings to share our findings with other municipal officials, and be available to provide additional engineering, planning or survey services, as requested by City Officials as an additional service.

# 4. Scope of Services

## Limitations and Exclusions

Based upon our understanding of the project and our past experiences, we are excluding the following services from our proposed scope. Please let us know if you believe that one of the following tasks should be included and we will prepare a draft scope and fee estimate for your review.

- Evaluation of Building Mechanical, Electrical or Plumbing engineering systems.
- Environmental engineering evaluations and hazardous building condition surveys and testing.
- Entering any buildings, or portions of buildings, that may pose a safety threat to Chazen personnel.
- Destructive investigations, laboratory testing or advanced evaluation methods.
- Structural engineering or design services related to repairing the building structure.
- Providing security services during the field assessments.
- Providing ladders, lifts or other methods of reaching inaccessible portions of the building structure.
- Providing detailed cost estimates or evaluations for concept level repairs or market value of the structure. All opinions of probable cost shall be based upon industry-recognized sources, our past experiences and understanding of the market and are intended to aid in the City's planning purposes only.

## Services Provided by Chazen and TAP

At this stage, we envision that Chazen will be self-performing the field evaluation work (Task 1) and assembling the assessment reports and planning documents (Task 2). We envision that TAP, Inc. will be assisting Chazen in developing evaluation criteria, market estimates and re-purposing strategies based upon their past experience during the reporting and planning phase of the work (Task 2).

# 5. Quality Assurance/Quality Control (QA/QC)

Chazen is committed to quality and service at every level. One mechanism that assists us with achieving this goal is the administration of our quality assurance and quality control (QA/QC) program. Chazen's QA/QC program outlines procedures and protocols encompassing the design and document preparation phase through the construction phase of our projects.

All field notes, calculations, mapping, plans and reports are reviewed and verified in detail by experienced and qualified personnel prior to submittal to our clients, regulatory authorities and review agencies. A general review of the overall project approach is also completed by a designated QA/QC professional at multiple project phases to ensure the project progresses in accordance with the appropriate professional standards and practices.

## QA/QC Program Components Include:

- A project document review process
- Protocols and calculations review
- Establishment and adherence to standardized plan sheets
- Computer Aided Design and Drafting (CADD) standards
- QA/QC review process tracking and documentation system

When a project is undertaken, a work plan is developed to an appropriate level of detail. Whether large or small, diagrammatic or written, the work plan is an important tool for communication among team members and the client, and a critical first step toward mapping out a strategy for successful work. Typically the work plan contains the following:

*"I was extremely impressed with your development and implementation of this multi-faceted QA/QC program. With certainty, I would rank your program as one of the best I have seen, in particular, the approach to consistency, standards and cultural buy-in from the senior staff." Quote from Chazen's professional liability insurance carrier.*

## Who and Where:

- Client and team identification
- Organization chart delineating lines of communication with the client
- Project directory with addresses, phone and fax numbers, and e-mail information

## What and When:

- Scope of work description
- Task lists
- Controlling conditions and technical approaches
- Key contract information
- Project schedule and identification of critical activities

## Why:

- These QA/QC procedures ensure that all projects are completed on time and within budget while achieving an optimum level of quality

***Chazen requires that all team members perform their work in accordance with our QA/QC procedures***

# 6. References

Please feel free to contact the following references for whom we have provided professional engineering services.

**City of Newburgh**  
Mr. Jason Morris  
City Engineer  
City Hall, First Floor  
83 Broadway  
Newburgh, NY 12550  
845.569.7448



**Poughkeepsie City School District**  
Mr. Ron Suits  
Superintendent of Buildings and Grounds  
Jane Bolin Administration Building  
11 College Avenue  
Poughkeepsie, NY 12603  
845.451.4996



**City of Peekskill**  
Mr. Anthony Ruggiero  
City Manager  
Peekskill City Hall  
840 Main Street  
Peekskill, NY 10566  
914.731.4246



**City of Saratoga Springs**  
Mr. Tim Wales, PE  
City Engineer  
47 Broadway  
Saratoga Springs, NY 12866  
518.587.3550



## Client Comments

Here is what our clients say about us.

- *"VERY THOROUGH, GOOD COMMUNICATION SKILLS, GOOD COORDINATION WITH SUB CONSULTANTS AND CLIENT-MET VERY AGGRESSIVE SCHEDULE."*
- *"COOPERATIVE AND COMMUNICATIVE THROUGHOUT THE ENTIRE PROGRAM PHASE. I WOULD RECOMMEND THEM FOR FUTURE ASSIGNMENTS"*
- *"CHAZEN TREATS THE TOWN AS AN "A" CLIENT AND PROVIDES THE RESPONSIVENESS THAT THE TOWN EXPECTS; WE ARE NOT GETTING THAT LEVEL OF SERVICE FROM OUR OTHER CONSULTANTS."*
- *"THE DATA AND INFO THAT YOU HAVE PROVIDED SHEDS A NEW LIGHT ONTO THIS PROJECT AND HOW WE SHOULD PROCEED. I WISH THAT I HAD YOU ON BOARD YEARS AGO."*
- *"THE WORK THAT THE CHAZEN COMPANIES AND OUR COMMITTEE VOLUNTEERS HAVE DONE SO FAR IN SERVICE OF THE BEST PLAN OUTCOME IS QUITE LAUDABLE. IT IS A CHALLENGE TO INCORPORATE THE MANY STRANDS THAT COMPRISE A COMMUNITY SUCH AS OURS....AND COME UP WITH A VISION THAT CAN BE DONE IN WORKABLE, AFFORDABLE PIECES. "*
- *"TEAM DID A GREAT JOB GETTING THE CONTRACT READY FOR BIDDING, INCLUDING AN ESTIMATE THAT WAS ABLE TO BE BROUGHT DIRECTLY INTO OUR SITE SEAMLESSLY."*
- *"CONSULANT WAS COMMUNICATIVE AND TIMELY IN SUBMISSION. GOOD COORDINATION WITH APPROVING AGENCIES."*

# 8. Cost Proposal

## FEE SCHEDULE

<u>Task</u>	<u>Description</u>	<u>Lump Sum Fee</u>	<u>Time and Materials Estimate</u>	<u>Reimbursable Expenses Estimate</u>
<b>1</b>	<b>On-Site Structural Evaluation</b>	<b>\$4,750</b>	<b>\$400</b>	<b>\$250</b>
1a	Coordination with City Officials, Schedule Visits	--	\$200	--
1b	Site Assessments (Assume Three Field Days)	\$4,750	--	\$250
1c	Post Evaluation Discussion with City Officials	--	\$200	--
<b>2</b>	<b>Assessment Report and Planning Documents</b>	<b>\$9,000</b>	<b>\$400</b>	<b>\$100</b>
2a	Discussion with City Officials, Define Report Criteria	--	\$400	--
2b	Building Assessment and Recommendation Reports	\$7,500	--	\$100
2c	Priority Action List and Planning Document	\$1,500	--	--
<b>3</b>	<b>Post Assessment Meetings and Site Visits</b>	<b>--</b>	<b>As Requested</b>	<b>--</b>
<b>Estimate Subtotals:</b>		<b>\$13,750</b>	<b>\$800</b>	<b>\$350</b>
<b>Estimate Total:</b>		<b>\$14,900</b>		

## PROJECT STAFF

<u>Name</u>			<u>Employee Title</u>	<u>Municipal Billing Rate</u>
<u>Engineering:</u>				
Lanaro	Joseph	PE	Senior Professional	\$166.50
Fama	Joseph	RA	Senior Professional (TAP)	\$166.50
Baron	Michael	PE	Professional I	\$112.50
Cosh	Lanson	PE	Professional I	\$112.50
Larkin	Edward	PE	Professional I	\$112.50
Rodriguez	Michael		Professional I	\$112.50
Wasiczko	Michael		Technician I	\$65.00

## REIMBURSABLE EXPENSES

Reimbursable expenses for which Chazen expects to be reimbursed includes mileage, overnight mailings, photocopying and report binding. We expect to deliver all reports electronically, and therefore any reproduction and creation of hard copy reports shall be expensed directly.

As an extension of the public authority, we can be subject to FOIL requests, and as such, reimbursable expenses would include administrative and clerical assistance associated with the requests. Costs associated with these FOIL requests are excluded from the fee schedule above and will be provided as an additional service.

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH  
SUPPORTING COOPERATION BETWEEN THE CITY OF NEWBURGH AND  
CORNELL UNIVERSITY TO PURSUE A RESEARCH PROGRAM THROUGH THE  
NATIONAL SCIENCE FOUNDATION TO BE UNDERTAKEN BY CORNELL  
UNIVERSITY TO DEVELOP A THEORY OF INTERDEPENDENT CRITICAL  
INFRASTRUCTURE SYSTEMS**

**WHEREAS**, Cornell University has expressed interest in partnering with the City to pursue a National Science Foundation program to conduct a research project addressing Critical Resilient Interdependent Infrastructure Systems and Processes; and

**WHEREAS**, Cornell University would like to partner with the City and public agencies and utilities that are associated with critical infrastructure systems in Orange County on a study that would apply and test theories and methods concerned with the study of interdependent critical infrastructure systems; and

**WHEREAS**, the City would provide information, cooperation and feedback to Cornell University in order to achieve measurable goals sought by participation in the program; and

**WHEREAS**, only non-proprietary information about existing plans for economic or infrastructural developments would be used, and nothing further than information, cooperation and feedback on findings would be requested of the City; and

**WHEREAS**, the City Council of the City of Newburgh finds that the City's cooperation with Cornell University to conduct a research project addressing Critical Resilient Interdependent Infrastructure Systems and Processes is in the best interests of the City of Newburgh;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Newburgh, New York, supports cooperation between the City of Newburgh and Cornell University for Cornell University to pursue a research program through the National Science Foundation to develop a theory of interdependent critical infrastructure systems.

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

RESOLUTION AMENDING RESOLUTION NO: 296 - 2014,  
THE 2015 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK  
TO TRANSFER \$95,000.00 FROM WATER FUND CONTINGENCY  
TO WATER DISTRIBUTION TO COVER THE COSTS OF REPAIRS ASSOCIATED  
WITH WATER MAIN BREAKS AT VARIOUS LOCATIONS THROUGHOUT THE CITY

BE IT RESOLVED, by the Council of the City of Newburgh, New York that Resolution No: 296-2014, the 2015 Budget of the City of Newburgh, is hereby amended as follows:

	<u>Decrease</u>	<u>Increase</u>
F.1900.1990 Water Contingency	\$95,000.00	
A.8340.0448 Water Distribution Other Services		\$95,000.00

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY  
TO THE NEWBURGH COMMUNITY LANDBANK**

**WHEREAS**, the Newburgh Community Land Bank was incorporated pursuant to Article 16 and Section 402 of the Not-for-Profit Corporation Law and is a Type C Not-For-Profit corporation as defined in Section 201 of the Not-For-Profit Corporation Law; and

**WHEREAS**, the mission of the Newburgh Community Land Bank is to stimulate planning, economic development and neighborhood revitalization by acquiring, managing and disposing of vacant, abandoned and underutilized properties in a responsible manner in collaboration with community stakeholders, developers and other governmental agencies in order to improve the quality of life in Newburgh; and

**WHEREAS**, the Newburgh Community Land Bank has requested real property known as 98 Lander Street and 116 Lander Street, more accurately described as Section 23, Block 2, Lot 1 and Section 18, Block 10, Lot 5.2), respectively, on the official Tax Map of the City of Newburgh; and

**WHEREAS**, this Council has determined that transferring title to 98 Lander Street and 116 Lander Street is in the best interests of the City of Newburgh;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Newburgh that the sale of the following property to the indicated purchaser be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser; and

<u>Property address</u>	<u>Section, Block, Lot</u>	<u>Purchaser</u>
98 Lander Street	23 - 2 - 1	Newburgh Community Land Bank
116 Lander Street	18 - 10 - 5.2	Newburgh Community Land Bank

**BE IT FURTHER RESOLVED**, that the City Council of the City of Newburgh the properties are to be transferred to the Newburgh Community Land Bank subject to the Disposition Policies of the Newburgh Community Land Bank annexed hereto and made part hereof as Schedule A; and

**BE IT FURTHER RESOLVED**, by the Council of the City of Newburgh, New York, that the parcels are not required for public use.

**“SCHEDULE A”**

**Priorities Concerning the Disposition of Properties  
Newburgh Community Land Bank**

*The acquisition, use, and disposition of such properties shall at all times be consistent with the authority granted by the City of Newburgh, the laws of the state of New York, the articles of incorporation and bylaws of the City of Newburgh Land Bank, and the public purposes set forth therein.*

As approved by the Board of Directors on September 19, 2012.

## **1. Priorities Concerning the Disposition of Properties**

The disposition of properties shall be based upon a combination of three different factors. The first factor involves the intended or planned use of the property. The second factor considers the nature and identity of the transferee of the property. The third factor addresses the impact of the property transfer on the short and long term neighborhood and community development plans. Within each factor is a ranking of priorities. The disposition of any given parcel will be based upon an assessment of the most efficient and effective way to maximize the aggregate policies and priorities. The Board and Staff of the Land Bank shall at all times retain flexibility in evaluating the appropriate balancing of the priorities for the use of property, priorities as to the nature of the transferee of properties, and priorities concerning neighborhood and community development.

### **Priorities for Use of Property**

1. Quality housing.
2. Return of the property to productive tax paying status.
3. Commercial and mixed use development.
4. Long term “banking” of properties for future strategic uses.
5. Provision of financial resources for operating functions of the Land Bank.

### **Priorities as to the Nature of the Transferee**

1. Individuals who will own and occupy the residential property.
2. Qualified Landlords or real estate investors.
3. Qualified real estate developers; Entities that are a partnership, limited liability corporation, or joint venture comprised of a private nonprofit corporations and a private for-profit entity.
4. Businesses that will own and occupy commercial property.
5. Qualified nonprofits corporations that will hold title to the property on a long-term basis (primarily rental properties) or hold title to the property for purposes of subsequent redevelopment and re-conveyance to private third parties for homeownership.
6. Local government entities for public purpose use.

## 2. Land Disposition Policies

These policies pertain to transfers of property that may be vacant, improved or ready to occupy.

1. Individuals and entities that were the prior owners of property at the time of the tax foreclosure which transferred title to the Treasurer shall be ineligible to be the transferee of such property from the Treasurer.
2. The transferee must not own any real property that: a) has any un-remediated citation or violation of the state and local codes and ordinances; b) a history of chronic code citations or violations of the state and local codes and ordinances; c) is tax delinquent; d) was transferred to a local government as a result of tax foreclosure proceedings.
3. The transferee must not have any judgments against them during the past 5 years regarding a landlord/tenant issue.
4. All tax incentives and financing necessary for the development to be completed must be committed for the development prescribed in the development agreement prior to actual disposition.
5. Options to purchase real estate may be available for a specified percentage of the purchase price with a negotiated time frame to be determined by the Land Bank. This fee will be credited to the parcel price at closing. If closing does not occur, the fee is forfeited. All option agreements are subject to all policies and procedures of the Land Bank pertaining to property transfers.
6. A precise narrative description of future use of the property is required. The future use must be in-line with local development plans. The development agreement shall apply to stated use.
7. The proposed use must be consistent with current zoning requirements or a waiver for non-conforming use is a condition precedent to the transfer.
8. Transactions shall be structured in a manner that permits the Land Bank to enforce recorded covenants or conditions upon title pertaining to development and use of the property for a specified period of time. Such restrictions may be enforced, in certain cases, through reliance on subordinate financing held by the Land Bank.
9. Any non-local residents or entities with a local agent may acquire Land Bank property only with an enforceable plan to place the property into immediate productive use (meaning the property is to be occupied immediately or with the immediate commencement of some form of development project that fits the stated mission of the Land Bank). This applies to all real property.
10. Any exception to the policies governing disposition shall be taken to the governing body of the Land Bank for approval.
11. If code or ordinance violations exist with respect to the property at the time of the transfer, the development or transfer agreements shall specify a maximum period

of time for elimination or correction of such violations, with the period of time be established as appropriate to the nature of the violation of the anticipated redevelopment or reuse of the property.

12. The subject property must not have been used by the transferee or a family member of the transferee as his or her personal residence at any time preceding the submission of application (except in rental cases).
13. The Land Bank will consider 'Land Leasing' as a method of disposition in any transactions.
14. Where part or all of the consideration for the transfer is the prospective affordability of the housing units, affordability requirements may be set forth in the transfer agreement and enforceable through recorded covenants, conditions or limitations upon title.

The following additional policies shall apply to properties to be transferred to individual transferees as part of a homeownership program.

1. The owner-occupant must complete renovations and move into the structure within a time frame negotiated by the Land Bank.
2. The property may not be used solely as rental property.
3. For properties transferred for cash consideration below full fair market value of the property, the owner-occupant must reside in the property as his or her primary residence for at least a 5-year period. If the property is sold prior to the 5-year period, the transferee must either: a) sell the property for no more than the purchase price from the Land Bank plus all cost of property improvements; or b) repay the land bank the difference between the purchase price and the initial fair market value.

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY  
TO THE NEWBURGH COMMUNITY LANDBANK**

**WHEREAS**, the Newburgh Community Land Bank was incorporated pursuant to Article 16 and Section 402 of the Not-for-Profit Corporation Law and is a Type C Not-For-Profit corporation as defined in Section 201 of the Not-For-Profit Corporation Law; and

**WHEREAS**, the mission of the Newburgh Community Land Bank is to stimulate planning, economic development and neighborhood revitalization by acquiring, managing and disposing of vacant, abandoned and underutilized properties in a responsible manner in collaboration with community stakeholders, developers and other governmental agencies in order to improve the quality of life in Newburgh; and

**WHEREAS**, upon the request of the Newburgh Community Land Bank, this Council has determined that transferring title of the parcels on the attached Schedule "A" is in the best interests of the City of Newburgh and its further development;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Newburgh that the sale of the properties on the list attached hereto as Schedule "A" to the Newburgh Community Land Bank be and hereby is confirmed and the City Manager is authorized and directed to execute and deliver a quitclaim deed to the Newburgh Community Land Bank; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Newburgh the properties are to be transferred to the Newburgh Community Land Bank subject to the Disposition Policies of the Newburgh Community Land Bank annexed hereto and made part hereof as Schedule "B"; and

**BE IT FURTHER RESOLVED**, by the Council of the City of Newburgh, New York, that the parcels are not required for public use.

**“SCHEDULE B”**

**Priorities Concerning the Disposition of Properties  
Newburgh Community Land Bank**

*The acquisition, use, and disposition of such properties shall at all times be consistent with the authority granted by the City of Newburgh, the laws of the state of New York, the articles of incorporation and bylaws of the City of Newburgh Land Bank, and the public purposes set forth therein.*

As approved by the Board of Directors on September 19, 2012.

## **1. Priorities Concerning the Disposition of Properties**

The disposition of properties shall be based upon a combination of three different factors. The first factor involves the intended or planned use of the property. The second factor considers the nature and identity of the transferee of the property. The third factor addresses the impact of the property transfer on the short and long term neighborhood and community development plans. Within each factor is a ranking of priorities. The disposition of any given parcel will be based upon an assessment of the most efficient and effective way to maximize the aggregate policies and priorities. The Board and Staff of the Land Bank shall at all times retain flexibility in evaluating the appropriate balancing of the priorities for the use of property, priorities as to the nature of the transferee of properties, and priorities concerning neighborhood and community development.

### **Priorities for Use of Property**

1. Quality housing.
2. Return of the property to productive tax paying status.
3. Commercial and mixed use development.
4. Long term “banking” of properties for future strategic uses.
5. Provision of financial resources for operating functions of the Land Bank.

### **Priorities as to the Nature of the Transferee**

1. Individuals who will own and occupy the residential property.
2. Qualified Landlords or real estate investors.
3. Qualified real estate developers; Entities that are a partnership, limited liability corporation, or joint venture comprised of a private nonprofit corporations and a private for-profit entity.
4. Businesses that will own and occupy commercial property.
5. Qualified nonprofits corporations that will hold title to the property on a long-term basis (primarily rental properties) or hold title to the property for purposes of subsequent redevelopment and re-conveyance to private third parties for homeownership.
6. Local government entities for public purpose use.

## 2. Land Disposition Policies

These policies pertain to transfers of property that may be vacant, improved or ready to occupy.

1. Individuals and entities that were the prior owners of property at the time of the tax foreclosure which transferred title to the Treasurer shall be ineligible to be the transferee of such property from the Treasurer.
2. The transferee must not own any real property that: a) has any un-remediated citation or violation of the state and local codes and ordinances; b) a history of chronic code citations or violations of the state and local codes and ordinances; c) is tax delinquent; d) was transferred to a local government as a result of tax foreclosure proceedings.
3. The transferee must not have any judgments against them during the past 5 years regarding a landlord/tenant issue.
4. All tax incentives and financing necessary for the development to be completed must be committed for the development prescribed in the development agreement prior to actual disposition.
5. Options to purchase real estate may be available for a specified percentage of the purchase price with a negotiated time frame to be determined by the Land Bank. This fee will be credited to the parcel price at closing. If closing does not occur, the fee is forfeited. All option agreements are subject to all policies and procedures of the Land Bank pertaining to property transfers.
6. A precise narrative description of future use of the property is required. The future use must be in-line with local development plans. The development agreement shall apply to stated use.
7. The proposed use must be consistent with current zoning requirements or a waiver for non-conforming use is a condition precedent to the transfer.
8. Transactions shall be structured in a manner that permits the Land Bank to enforce recorded covenants or conditions upon title pertaining to development and use of the property for a specified period of time. Such restrictions may be enforced, in certain cases, through reliance on subordinate financing held by the Land Bank.
9. Any non-local residents or entities with a local agent may acquire Land Bank property only with an enforceable plan to place the property into immediate productive use (meaning the property is to be occupied immediately or with the immediate commencement of some form of development project that fits the stated mission of the Land Bank). This applies to all real property.
10. Any exception to the policies governing disposition shall be taken to the governing body of the Land Bank for approval.
11. If code or ordinance violations exist with respect to the property at the time of the transfer, the development or transfer agreements shall specify a maximum period

of time for elimination or correction of such violations, with the period of time be established as appropriate to the nature of the violation of the anticipated redevelopment or reuse of the property.

12. The subject property must not have been used by the transferee or a family member of the transferee as his or her personal residence at any time preceding the submission of application (except in rental cases).
13. The Land Bank will consider 'Land Leasing' as a method of disposition in any transactions.
14. Where part or all of the consideration for the transfer is the prospective affordability of the housing units, affordability requirements may be set forth in the transfer agreement and enforceable through recorded covenants, conditions or limitations upon title.

The following additional policies shall apply to properties to be transferred to individual transferees as part of a homeownership program.

1. The owner-occupant must complete renovations and move into the structure within a time frame negotiated by the Land Bank.
2. The property may not be used solely as rental property.
3. For properties transferred for cash consideration below full fair market value of the property, the owner-occupant must reside in the property as his or her primary residence for at least a 5-year period. If the property is sold prior to the 5-year period, the transferee must either: a) sell the property for no more than the purchase price from the Land Bank plus all cost of property improvements; or b) repay the land bank the difference between the purchase price and the initial fair market value.

## SCHEDULE "A"

SECTION	BLOCK	LOT	STREET NUMBER	STREET
30	5	21.2	10	Chambers Street
48	11	5	61	Courtney Avenue
30	1	47	46	Dubois Street
30	1	48	48	Dubois Street
29	5	7	57	Dubois Street
18	11	10	55	Farrington Street
30	1	3	195	First Street
12	2	22	250	Grand Street
12	2	23.1	250	Grand Street Rear
30	2	19	21	Johnston Street
30	2	18	23	Johnston Street
30	2	17	25	Johnston Street
18	10	15	118	Johnston Street
30	3	20	18	Lander Street
23	6	16.1	59	Lander Street
23	6	18	63	Lander Street
23	2	7	86	Lander Street
18	9	24	121	Lander Street
18	9	1	123	Lander Street
48	11	17	61	Liberty Street WH
48	5	29	82	Liberty Street WH
18	6	42	290	Liberty Street
18	2	37	164	N. Miller Street
30	2	38	22	S. Miller Street
30	2	40	26	S. Miller Street
39	2	11	143	Washington Street

RESOLUTION NO.: \_\_\_\_\_-2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE EXECUTION  
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY  
FROM A DEED ISSUED TO MICHAEL THOMAS  
TO THE PREMISES KNOWN AS 150 ANN STREET  
(SECTION 36, BLOCK 2, LOT 14)**

**WHEREAS**, on October 12, 1983, the City of Newburgh conveyed property located at 150 Ann Street, being more accurately described on the official Tax Map of the City of Newburgh as Section 36, Block 2, Lot 14, to Michael Thomas; and

**WHEREAS**, the new owner, by their attorney, has requested a release of the restrictive covenants contained in said deed; and

**WHEREAS**, the appropriate departments have reviewed their files and advised that the covenants have been complied with, and recommends such release be granted; and

**WHEREAS**, this Council believes it is in the best interest of the City of Newburgh to grant such request;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4 and 5 of the aforementioned deed.



RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AMENDING RESOLUTION NO. 39-2015 OF MARCH 9, 2015  
AUTHORIZING TO AUTHORIZE AN AMENDMENT TO THE TERMS OF SALE AND  
AN EXTENSION OF TIME TO CLOSE TITLE ON THE CONVEYANCE OF REAL  
PROPERTY KNOWN AS 72 LANDER STREET (SECTION 23, BLOCK 7, LOT 6),  
76 LANDER STREET (SECTION 23, BLOCK 2, LOT 12), 78 LANDER STREET  
(SECTION 23, BLOCK 2, LOT 11), 82 LANDER STREET (SECTION 23, BLOCK 2, LOT 9)  
AND 84 LANDER STREET (SECTION 23, BLOCK 2, LOT 8) AT PRIVATE SALE  
TO JEFFERY MCKEAN D/B/A MCKEAN ARCHITECTURE  
FOR THE AMOUNT OF \$20,000.00**

**WHEREAS**, by Resolution No. 39-2015 of March 9, 2015, the City Council of the City of Newburgh authorized the sale of 72 Lander Street, 76 Lander Street, 78 Lander Street, 82 Lander Street and 84 Lander Street, being more accurately described as Section 23, Block 7, Lot 6, and Section 23, Block 2 and Lots 12, 11, 9 and 8, respectively, on the official tax map of the City of Newburgh, to Jeffrey McKean d/b/a McKean Architecture upon receipt of the purchase price of \$20,000.00; and that said purchase price must be paid no later than May 8, 2015, and in accordance with certain terms and conditions of sale; and

**WHEREAS**, the parties have agreed to modify the terms of sale and require additional time to close title and the City Council of the City of Newburgh has determined that it would be in the best interests of the City of Newburgh to modify the terms of sale and to extend the time to close title;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that Resolution No. 39-2015 of March 9, 2015 is hereby amended to extend the time to close title on the sale of 72 Lander Street, 76 Lander Street, 78 Lander Street, 82 Lander Street and 84 Lander Street to Jeffrey McKean d/b/a McKean Architecture until June 30, 2015; and the City Manager is authorized and directed to execute and deliver a quitclaim deed to said purchaser upon receipt of the purchase price of \$20,000.00; and that said purchase price must be paid no later than June 30, 2015, and in accordance with the amended terms and conditions of sale as annexed hereto and made part hereof; and; and

**BE IT FURTHER RESOLVED**, by the Council of the City of Newburgh, New York, that the parcels are not required for public use.

**Amended Terms and Conditions Sale**  
**72 Lander Street, City of Newburgh (23-7-6)**  
**76 Lander Street, City of Newburgh (23-2-12)**  
**78 Lander Street, City of Newburgh (23-2-11)**  
**82 Lander Street, City of Newburgh (23-2-9)**  
**84 Lander Street, City of Newburgh (23-2-8)**

**STANDARD TERMS:**

1. City of Newburgh acquired title to these properties in accordance with Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law have been extinguished by the tax sale proceedings and/or as a result of forfeiture.
2. For purposes of these Terms and Conditions, parcel shall be defined as a section, block and lot number.
3. All real property, including any buildings thereon, is sold "AS IS" and without any representation or warranty whatsoever as to the condition or title, and subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) applicable zoning/land use/building regulations; (c) water and sewer assessments are the responsibility of the purchaser, whether they are received or not; (d) easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale in which City of Newburgh acquired title; and (e) for purposes of taxation, the purchaser shall be deemed to be the owner prior to the next applicable taxable status date after the date of sale.
4. The properties are sold subject to unpaid school taxes for the tax years of 2014 and 2015 County Tax and 2014-2015 School Taxes and any subsequent levies. The purchaser shall reimburse the City for 2014 and 2015 County Taxes and 2014-2015 School Taxes and any subsequent levies. Upon the closing, the properties shall become subject to taxation and apportionment of the 2015 City taxes shall be made as of the date of closing. Water and sewer charges and sanitation fees will be paid by the City to the date of closing.
5. **WARNING: FAILURE TO COMPLY WITH THE TERMS OF THIS PARAGRAPH MAY RESULT IN YOUR LOSS OF THE PROPERTY AFTER PURCHASE.** The deed will contain provisions stating that the purchaser is required to rehabilitate any building on the property and bring it into compliance with all State, County and Local standards for occupancy within thirty-six (36) months of the date of the deed. Within such thirty-six (36) month time period the purchaser must either: obtain a Certificate of Occupancy for all buildings on the property; make all buildings granted a Certificate of Occupancy before the date of purchase fit for the use stated in such Certificate of Occupancy; or demolish such buildings. The deed shall require the purchaser to schedule an inspection by City officials at or before the end of the thirty-six (36) month period. If the purchaser has not complied with the deed provisions regarding rehabilitation of the property and obtained a Certificate of Occupancy or Certificate of Compliance by that time, then the title to the property shall revert to the City of Newburgh. The deed shall also provide that the property shall not be conveyed to any other person before a Certificate of Occupancy or Certificate of Compliance is issued. A written request made to the City Manager for an extension of the thirty-six (36) month rehabilitation period shall be accompanied by a non-refundable fee of \$250.00 per parcel for which a request is submitted. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to rehabilitate of up to, but not to exceed, three (3) months. Any additional request thereafter shall be made in writing and placed before the City Council for their consideration.
6. Notice is hereby given that the property lies within the East End Historic District as designated upon the zoning or tax map. This parcel is being sold subject to all provision of law applicable thereto and

it is the sole responsibility of the purchaser to redevelop such parcel so designated in accordance with same.

7. All purchasers are advised to personally inspect the premises and to examine title to the premises prior to the date upon which the sale is scheduled to take place. Upon delivery of the quitclaim deed by the City of Newburgh to the successful purchaser, any and all claims with respect to title to the premises are merged in the deed and do not survive.
8. No personal property is included in the sale of any of the parcels owned by City of Newburgh, unless the former owner or occupant has abandoned same. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the successful purchaser following the closing of sale.
9. The City makes no representation, express or implied, as to the condition of any property, warranty of title, or as to the suitability of any for any particular use or occupancy. Property may contain paint or other similar surface coating material containing lead. Purchaser shall be responsible for the correction of such conditions when required by applicable law. Property also may contain other environmental hazards. Purchaser shall be responsible for ascertaining and investigating such conditions prior to bidding. Purchaser shall be responsible for investigating and ascertaining from the City Building Inspector's records the legal permitted use of any property prior to closing. Purchaser acknowledges receivership of the pamphlet entitled "Protecting Your Family from Lead in Your Home." Purchaser also acknowledges that he/she has had the opportunity to conduct a risk assessment or inspection of the premises for the presence of lead-based paint, lead-based paint hazards or mold.
10. The entire purchase price and all closing costs/fees must be paid by money order or guaranteed funds to the City of Newburgh Comptroller's Office on or before June 30, 2015. *The City of Newburgh does not accept credit card payments for the purchase price and closing costs/fees.* **The City is not required to send notice of acceptance or any other notice to a purchaser.** At closing, purchaser, as grantee, may take title as a natural person or as an entity wherein purchaser is an officer or managing member of said entity. A closing of title is subject to the purchaser securing a standard form policy of title insurance. The City Manager may, in his sole discretion and for good cause shown, grant one extension of time to close title of up to, but not to exceed, sixty (60) additional days. No request shall be entertained unless in writing, stating the reasons therefor, and unless accompanied by a fee of \$250.00 per parcel for which a request is submitted. The fee shall be in addition to all other fees and deposits and shall not be credited against the purchase price and shall not be returnable. Any additional request made thereafter shall be made in writing and placed before the City Council for their consideration.
11. In the event that a sale is cancelled by court order, judgment, the Comptroller or the Newburgh City Council, the successful bidder shall be entitled only to a refund of the purchase money paid with interest. Purchaser agrees that he shall not be entitled to special or consequential damages, attorney's fees, reimbursement for any expenses incurred as a result of ownership, improvements of property, or for taxes paid during period of ownership, and this agreement by the purchaser is a material condition of the sale.
12. Sale shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall City of Newburgh be or become liable for any defects in title for any cause whatsoever, and no claim, demand or suit of any nature shall exist in favor of the purchaser, his heirs, successors or assigns, against City of Newburgh arising from this sale.
13. Conveyance shall be by quitclaim deed only, containing a description of the property as it appeared on the tax roll for the year upon which the City acquired title or as corrected up to date of deed. The deed will be recorded by the purchaser after payment in full of the purchase price, and closing fees/costs. Possession of property is forbidden until the deed is recorded conveying title to the purchaser. **Title vests upon recording of deed.**
14. Upon closing, the City shall deliver a quitclaim deed for each parcel conveying all of its right, title and interest in the subject property, which deed shall be drawn by the City Corporation Counsel. The City shall not convey its interest in any street, water, sewer or drainage easement, or any other interest the City may have in the property. The City shall only convey that interest obtained by the City

pursuant to the judgment rendered in an *in rem* tax foreclosure action filed in the Orange County Clerk's Office.

15. The description of the property shall be from the City of Newburgh Tax Map reference or a survey description certified to the City of Newburgh and provided to the City Corporation Counsel by the purchaser at least thirty (30) days in advance of closing title and approved by the City's Engineer.
16. Evictions, if necessary, are solely the responsibility of the successful bidder after closing and recording of the deed.
17. By acknowledging and executing these Terms & Conditions, the purchaser certifies that he/she is not representing the former owner(s) of the property against whom City of Newburgh foreclosed and has no intent to defraud City of Newburgh of the unpaid taxes, assessment, penalties and charges which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom City of Newburgh foreclosed within 24 months subsequent to the sale date. If such conveyance occurs, the purchaser understands that he/she may be found to have committed fraud, and/or intent to defraud, and will be liable for any deficiency between the purchase price at auction and such sums as may be owed to City of Newburgh as related to the foreclosure on the property and consents to immediate judgment by City of Newburgh for said amounts.

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO EXECUTE AN FIFTY YEAR EXTENSION TO THE MANAGEMENT AGREEMENT  
BETWEEN THE CITY OF NEWBURGH AND  
THE NEWBURGH ARMORY UNITY CENTER, INC.**

**WHEREAS**, by Resolution No. 146-2011 of July 11, 2011, the City Council of the City of Newburgh determined that the Newburgh Armory Unity Center, Inc. (“NAUC”) was the most capable entity to provide management, operation, and fundraising services for the Newburgh Armory located at 321 South William Street in the City of Newburgh and authorized the City Manager to execute a Management Agreement with the NAUC; and

**WHEREAS**, the term of the Management Agreement is for twenty-five (25) years from July 19, 2011 through July 18, 2036 and may be extended and renewed for another term upon the mutual, written agreement of the parties hereto; and

**WHEREAS**, the City recognizes the enormous beneficial impact that the Newburgh Armory has had on the City of Newburgh by providing a home for recreational and educational programs that have greatly benefited the greater Newburgh community; and

**WHEREAS**, the City wishes to ensure the continued success of the Newburgh Armory for future generations by extending and renewing the term of the Management Agreement for an additional fifty (50) years, and this Council has reviewed the annexed extension agreement and finds that the execution of such agreement is in the best interests of the City of Newburgh and its citizens;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to execute a fifty (50) year extension agreement with the Newburgh Armory Unity Center, Inc. in substantially the same form as annexed hereto with other provisions as Corporation Counsel may require.

FIRST ADDENDUM TO MANAGEMENT AGREEMENT

THIS FIRST ADDENDUM TO MANAGEMENT AGREEMENT ("Addendum"), made as of this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the City of Newburgh, a New York municipal corporation ("City") and Newburgh Armory Unity Center, Inc., a New York not-for-profit corporation ("Manager").

WITNESSETH:

WHEREAS, on July 19, 2011, the City and the Manager executed a Management Agreement for the administration, operation, marketing and management of the building now known as the Newburgh Armory located at 321-393 S. William St., Newburgh, New York; and

WHEREAS, the term of the Management Agreement is for twenty-five (25) years from July 19, 2011 through July 18, 2036 and may be extended and renewed for another term upon the mutual, written agreement of the parties hereto; and

WHEREAS, the City recognizes the enormous beneficial impact that the Newburgh Armory has had on the City of Newburgh by providing a home for recreational and educational programs that have greatly benefited the greater Newburgh community; and

WHEREAS, accordingly, the City wishes to ensure the continued success of the Newburgh Armory for future generations by extending and renewing the term of the Management Agreement for an additional fifty (50) years, and the Manager agrees to the same:

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The term set forth in Paragraph 4.1 of the Management Agreement shall be renewed for an additional fifty (50) year term commencing on July 19, 2036 and terminating on July 18, 2086 ("Renewal Term").
2. All other terms and conditions set forth in the Management Agreement shall remain in full force and effect during the Renewal Term.

IN WITNESS WHEREOF, the Landlord and the Tenant have duly executed this Lease in duplicate as of the day and year first above written.

CITY OF NEWBURGH

NEWBURGH ARMORY UNITY CENTER, INC.

By: \_\_\_\_\_  
Name: Michael G. Ciaravino  
Its: City Manager  
Per Resolution No.:

By: \_\_\_\_\_  
Name:  
Its:

STATE OF NEW YORK)

) ss:

COUNTY OF ORANGE)

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL G. CIARAVINO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

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STATE OF NEW YORK)

) ss:

COUNTY OF ORANGE)

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

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RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT  
IF AWARDED A GRANT FROM THE STATE OF NEW YORK DEPARTMENT  
OF CRIMINAL JUSTICE SERVICES UNDER THE GUN INVOLVED VIOLENCE  
ELIMINATION (“GIVE”) PARTNERSHIP TO ENHANCE LAW ENFORCEMENT  
IN THE CITY OF NEWBURGH TO ACHIEVE SUSTAINED, LONG-TERM CRIME  
REDUCTION IN AN AMOUNT NOT TO EXCEED \$431,231.00  
WITH NO CITY MATCH**

**WHEREAS**, the City of Newburgh wishes to apply for and accept if awarded a Grant Award in an amount not to exceed \$424,241.00 under the Division of Criminal Justice Services Gun Involved Violence Elimination (“GIVE”) Partnership; and

**WHEREAS**, the GIVE Partnership is an evidenced based program involving the integrated efforts of the key criminal justice agencies and some vital support and service organizations in each funded jurisdiction; and

**WHEREAS**, if awarded, the City of Newburgh Police Department would use the funding, as a continuation of the current GIVE grant to fund the Crime Analyst Position, Field Intelligence Officer, Detective Difference, Hotspot Patrols, Hotspot Foot Patrols and Equipment including Crime Analyst software; and

**WHEREAS**, the Program funding shall be for New York State fiscal year 2015-2016 beginning July 1, 2015 and ending June 30, 2016; and

**WHEREAS**, the Program will enhance enforcement and prosecution efforts against crime in the City of Newburgh and no City matching funds are required, except the City of Newburgh will be responsible for certain fringe benefit costs which are not covered by the grant; and

**WHEREAS**, this Council has determined that accepting such funding is in the best interests of the City of Newburgh and the safety of its residents and visitors alike;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he hereby is authorized to apply for and accept, if awarded, a grant award from the New York State Department of Criminal Justice Services under the Gun Involved Violence Elimination (“GIVE”) Partnership, in an amount not to exceed \$424,241.00 with no City match required, to be used to carry out the program and implement the purposes set forth herein; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR  
AND ACCEPT IF AWARDED A YOUTH DEVELOPMENT PROGRAM GRANT  
FROM THE ORANGE COUNTY YOUTH BUREAU IN THE AMOUNT OF \$13,320.00  
REQUIRING NO CITY MATCH FOR THE RECREATION DEPARTMENT  
TO HIRE VENDORS FOR THE CITY OF NEWBURGH ANNUAL SUMMER CAMP**

**WHEREAS**, the City of Newburgh Recreation Department has advised that Youth Development Program Grant funding is available through the Orange County Youth Bureau; and

**WHEREAS**, the City of Newburgh wishes to apply for and accept if awarded a Youth Development Program Grant in the amount of \$13,320.00 for its annual summer camp; and

**WHEREAS**, funds will be used to hire expert vendors to teach healthy eating, video production, science and art (Kids Got Talent) for two hours a day, three days a week for the six (6) week camp; and

**WHEREAS**, no City matching funds are required; and

**WHEREAS**, this Council has determined that applying for and accepting said grant if awarded is in the best interests of the City of Newburgh and its youth;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to apply for and accept if awarded a Youth Development Program Grant from the Orange County Youth Bureau in the amount of \$13,320.00 requiring no City match for the Recreation Department to hire vendors for the City of Newburgh's annual summer camp; and to execute all such further contracts and documentation and take such further actions as may be appropriate and necessary to accept such grant and administer the programs funded thereby.

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ACCEPT 25 LIFE GUARD VESTS FROM THE SEA TOW FOUNDATION  
FOR USE DURING THE UPCOMING FISHING SEASON AT BROWN'S POND  
AND THE NEWBURGH BOAT LAUNCH**

**WHEREAS**, the Recreation Department has advised that the Sea Tow Foundation has offered to donate 25 life guard vests to the City of Newburgh; and

**WHEREAS**, the vests are U.S. Coast Guard approved and will be adult size; and

**WHEREAS**, the vests will be issued to boat renters during the upcoming fishing season at Brown's Pond and the Newburgh Boat Launch; and

**WHEREAS**, this Council has determined that accepting such donation is in the best interests of the City of Newburgh and the safety of its residents and visitors alike;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager is hereby authorized to accept 25 life guard vests from the Sea Tow Foundation for use during the upcoming fishing season at Brown's Pond and the Newburgh Boat Launch, with the sincere thanks of the City Council on behalf of all of the residents of the City of Newburgh.

RESOLUTION NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**A RESOLUTION TO REMOVE THE “HAVE YOU BEEN CONVICTED OF A CRIME”  
QUESTION FROM THE CITY OF NEWBURGH APPLICATION  
FOR EMPLOYMENT FORM**

**WHEREAS**, the City of Newburgh application for employment form includes the question, “Have you been convicted of any crime within the last seven years? If yes, explain:” and

**WHEREAS**, such a question often discourages rehabilitated individuals from seeking employment for fear that answering honestly will preclude the possibility of even being interviewed; and

**WHEREAS**, the following statement is at the bottom of the City of Newburgh’s job application form: “The NYS Human Rights Law prohibits discrimination in employment because of age, race, creed, color, national origin, sex, disability, marital status or criminal record. Accordingly, nothing in our application forms should be viewed as expressing, directly or indirectly, any limitation, specification, or discrimination as to age, race, creed, color, national origin, sex, disability, marital status or criminal record in connection with employment in the municipal service of the City of Newburgh. The City of Newburgh is an Equal Opportunity Employer”; and

**WHEREAS**, removing the question from the employment application does not preclude the City of Newburgh interviewer from asking a job candidate in a job interview the questions above cited, nor would removing the question preclude the employer from conducting a background check on the individual; and

**WHEREAS**, when someone in the past has been convicted or pled guilty to a felony or misdemeanor, they should have the opportunity to demonstrate to the employer, once given the chance in an interview, that they are and have been law-abiding and deserve consideration, if qualified, for the employment opportunity; and

**WHEREAS**, the United States as a result of its “War on Drugs” has one of the highest rates and levels of felony and misdemeanor convictions; and

**WHEREAS**, these convictions are often for non-violent crimes; and

**WHEREAS**, returning persons convicted of felonies and misdemeanors to the workforce is an effective measure to prevent recidivism; and

**WHEREAS**, removing the questions cited above does not compromise the health, safety and welfare of the People of the City of Newburgh;

**NOW, THEREFORE, BE IT RESOLVED**, that the crime question be removed from the City of Newburgh job application form.

RESOLUTION NO.: \_\_\_\_\_ - 2013  
OF  
MARCH 23, 2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH  
SUPPORTING ESTABLISHMENT OF THE  
NEWBURGH JOBS DEVELOPMENT INITIATIVE

**WHEREAS**, the City of Newburgh values a strong and diverse local economy which provides jobs and training opportunities for City residents; and

**WHEREAS**, the City of Newburgh wishes to stimulate economic development and job creation in the City of Newburgh with an emphasis on hiring City residents; and

**WHEREAS**, unemployment and lack of job opportunities are one of the most pressing and insidious problems facing our City, with 37% of eligible people not in the labor force; and

**WHEREAS**, the City's Master Plan Plan-It Newburgh advocates the creation of new opportunities that support hiring locally; and

**WHEREAS**, the City participates in various land developments either through the disposition of City owned land and/or the provision of tax incentives; and

**WHEREAS**, the City hires numerous firms to provide various services for the City;

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Newburgh hereby authorizes drafting of legislation to codify the Newburgh Jobs Development Initiative, with such legislation to include:

- 1.) For real estate projects involving City owned land or projects which secure a PILOT or other real estate tax incentive, a requirement that 30% of all new jobs created by the project are reserved for City residents;
- 2.) For contractual agreements for services, develop a sliding scale (based on the amount of the contract) for the number of jobs that need to be awarded to Newburgh residents;
- 3.) For all projects and agreements, mandate coordination with Best Resources Center, Inc. to create an individualized job training program for each project or agreement;
- 4.) For all bids and proposals issued by the City, inclusion of specific requirements for hiring City residents as part of those projects or agreements.

RESOLUTION NO.:\_\_\_\_\_ - 2015

OF

APRIL 13, 2015

**RESOLUTION SCHEDULING A PUBLIC HEARING FOR APRIL 27, 2015  
TO HEAR PUBLIC COMMENT CONCERNING A LOCAL LAW AMENDING  
CITY CHARTER SECTION C5.05 ENTITLED “DUTIES OF CITY MANAGER”  
OF THE CODE OF THE CITY OF NEWBURGH**

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York, that there is hereby scheduled a public hearing to receive comments concerning “A Local Law Amending City Charter Section 5.05 entitled ‘Duties of City Manager’”; and that such public hearing be and hereby is duly set for the next regular meeting of the Council to be held at 7:00 p.m. on the 27<sup>th</sup> day of April, 2015, in the 3<sup>rd</sup> Floor Council Chambers, 83 Broadway, City Hall, Newburgh, New York.

LOCAL LAW NO.: \_\_\_\_\_ - 2015

OF

\_\_\_\_\_, 2015

**A LOCAL LAW AMENDING CITY CHARTER SECTION C5.05 ENTITLED “DUTIES OF CITY MANAGER” TO PROVIDE FOR CITY COUNCIL CONFIRMATION OF CERTAIN CITY MANAGER APPOINTMENTS OF THE CODE OF THE CITY OF NEWBURGH**

**BE IT ENACTED** by the City Council of the City of Newburgh as follows:

**SECTION 1 - TITLE**

This Local Law shall be referred to as “A Local Law Amending City Charter Section C5.05 entitled ‘Duties of City Manager’ to Provide for City Council Confirmation of Certain City Manager Appointments of the Code of the City of Newburgh”.

**SECTION 2 - AMENDMENT**

**§ C 5.05, Paragraph B of the City Charter is hereby amended as follows:**

The City Manager shall be responsible to the Council for the administration of all City affairs. Specifically, it shall be his duty:

B. To appoint and to remove the heads of all departments, the members of all boards and commissions and all subordinate officers and employees of the City, except as otherwise provided herein. The appointment by the City Manager of (a) the members of boards and commissions including advisory boards; (b) the heads of all departments; and (c) City officers and deputies, specified in this Charter, which are appointed by the City Manager, including but not limited to the City Collector, City Assessor, City Comptroller, City Purchasing Agent, City Engineer and Surveyor, Director of Planning and Development, Parks and Recreation Director, Director of Finance, Superintendent of Public Works, Superintendent of Water, Building Inspector, Plumbing Inspector, Police Chief, Deputy Police Chief, Fire Chief, Deputy Fire Chief, Corporation Counsel, Assistant Corporation Counsel and City Historian, shall be subject to confirmation of the City Council by majority vote.

~~Strikethrough~~ denote deletions

Underlining denotes additions

### **SECTION 3 - VALIDITY**

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

### **SECTION 4 - EFFECTIVE DATE**

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

~~Strikethrough~~ denote deletions  
Underlining denotes additions

The City Manager will carry out those duties necessary to ensure compliance with this policy. The City Manager will designate, in writing, one or more Harassment Complaint Officers, to receive and investigate complaints of violations of this policy. Copies of this policy and the written designation of Harassment Complaint Officer (including their contact information) will be posted in conspicuous places and be available to employees and applicants for employment.

#### **§ 34-19 Equal Employment Opportunity**

The City is committed to a policy of ensuring equal employment opportunity to all employees and applicants for employment without unlawful discrimination with regard to race, color, religion, creed, gender, national origin, age, disability, marital status, citizenship status, military or veteran status, sexual orientation, domestic violence victim status, genetic information, or any other characteristic protected by applicable law. In accordance with all applicable federal, state and local laws, this commitment to equal employment opportunity extends to all employment decisions including, but not limited to, recruitment, hiring, compensation, benefits, training, promotion, demotion or downgrading, transfer, layoff and recall, termination, and all other terms and conditions of employment. The City prohibits and will not tolerate this kind of discrimination.

#### **§ 34-20 Anti-Harassment Policy**

##### **A. Sexual Harassment**

1. Sexual harassment constitutes discrimination, and is illegal pursuant to federal, state and local laws. For the purposes of this policy, sexual harassment pursuant to the Equal Employment Opportunity Commission Guidelines, as unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example: (i) submission to the conduct is made either explicitly or implicitly a term or condition of the individual's employment; (ii) submission to or rejection of the conduct by an individual is used for the basis for employment decisions affecting the individual or; (iii) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
2. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, the behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body; sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually explicit objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Gender-based harassment - that is, harassment not involving sexual activity or language (e.g. when a male supervisor yells only at female employees and not males) - may also constitute discrimination if it is severe or pervasive and directed at employees because of their gender. The City prohibits and will not tolerate all of these types of sexual harassment.

## **B. Harassment on the Basis of any other Protected Characteristic**

1. Harassment on the basis of any other protected characteristic is also strictly prohibited by the City. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, creed, gender, national origin, age, disability, marital status, citizenship status, military or veteran status, sexual orientation, genetic information, or any other characteristic protected by applicable law and that: (i) has the purpose or effect of creating an intimidating, or hostile work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.
2. Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail). The City prohibits and will not tolerate all of these types of harassment.

### **§ 34-21 Retaliation is Prohibited**

The City prohibits retaliation against any individual who in good faith reports discrimination or harassment or participates in an investigation of those reports. Retaliation against an individual for in good faith reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy. Violators will be subject to disciplinary action up to and including termination.

### **§ 34-22 Complaint Procedure**

#### *A. Reporting an incident of Prohibited Harassment, Discrimination or Retaliation:*

The City strongly urges the reporting of all incidents of harassment, discrimination or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe to be contrary to the City's policy or who have concerns about these matters should file their complaints before the conduct becomes severe or pervasive. The complaint may be filed with the employee's immediate supervisor or any individual designated in writing by the City Manager as a Harassment Complaint Officer. If the complaint involves one of the Harassment Complaint Officers, it may be filed with the City Manager. If the complaint involves the City Manager, it may be filed with the Mayor. Individuals should not feel obligated to bring their complaints to their immediate supervisor before bringing the matter to the attention of the Harassment Complaint Officer, the City Manager or the Mayor. Employees can submit claims in writing, by e-mail or by meeting in person. All oral complaints or reports must be documented in writing by the City. A department head or supervisor who observes harassment, discrimination or retaliation, or receives a complaint of same, must immediately make a report to the Harassment Complaint Officer, the City Manager or Mayor, respectively.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of prohibited harassment. Therefore, while no fixed reporting period has been

established by this policy, the City strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The City will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its employees. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcomed and requesting that it be discontinued.

#### **§ 34-23           The Investigation**

- A. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly, and impartially pursuant to the direction of the City Manager or, if the complaint involves the City Manager, pursuant to the direction of the Mayor. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. No individual who is the subject of a harassment, discrimination or retaliation complaint will play a role in the decision-making process with respect to the resolution of the complaint.
- B. The City Manager (or Mayor) will make best efforts to ensure the investigation of all complaints of harassment, discrimination or retaliation, preparation of written findings of the results of each investigation and the remedial actions proposed. This report will be considered an internal memorandum and one protected by personal privacy rights so as to not be subject to disclosure pursuant to the Freedom of Information Law. The City Manager (or Mayor) will communicate with the complaining party about the results of the investigation and remedial actions taken, if any, all within a reasonable period of time consistent with the circumstances of the complaint.
- C. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. If, after investigating any complaint of harassment or discrimination, it is determined that an employee has intentionally made a false claim of harassment or has intentionally provided false information regarding a harassment or discrimination complaint, disciplinary or legal action may be taken against that individual.
- D. No record of a complaint will be kept in the complaining employee's personnel file, unless the investigation concludes that the employee intentionally made a false claim of harassment or intentionally provided false information regarding a harassment or discrimination complaint.

#### **§ 34-24           Responsive Action**

Misconduct constituting prohibited harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action including, but not limited to, a warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion,

reassignment, temporary suspension without pay or termination, as the City believes to be appropriate given the circumstances, and in accordance with applicable law.

Individuals who have questions or concerns about these policies should contact the City Manager.

**§ 34-25 Additional Rights**

Nothing in this policy will be construed in any way in order to limit an employee's rights before the United States Equal Employment Opportunity Commission, the New York State Division of Human Rights or the Orange County Human Rights Commission, or to take any other legal action which the employee may deem advisable to pursue.

**§ 34-26 Severability**

If any clause, sentence, paragraph, section or part of this Article shall be adjudged by any court of competent jurisdiction to be invalid or otherwise unenforceable, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 2.** This Equal Employment Opportunity and Anti-Harassment Policy takes effect on April 14, 2015.

ORDINANCE NO.: \_\_\_\_\_ - 2015

OF

APRIL 13, 2015

AN ORDINANCE RESCINDING THE LANGUAGE CONTAINED IN  
CHAPTER 34, ARTICLE III OF THE CODE OF THE CITY OF NEWBURGH ENTITLED  
“SEXUAL HARASSMENT POLICY” AND AMENDING SAME BY SUBSTITUTING  
THEREFOR A NEW CHAPTER 34, ARTICLE II ENTITLED  
“EQUAL EMPLOYMENT OPPORTUNITY AND ANTI-HARASSMENT POLICY”

**BE IT ORDAINED**, by the Council of the City of Newburgh, New York that the language contained in Chapter 34, Article III entitled “Sexual Harassment Policy” of the Code of Ordinances of the City of Newburgh be and is hereby repealed and that the same is hereby amended to read as follows:

**SECTION 1. Chapter 34, Code of Ethics, Article III**

**Equal Employment Opportunity and Anti-Harassment Policy**

**§ 34-17 Council Intent**

The City of Newburgh continues to have a zero tolerance for unlawful discrimination, harassment or retaliation in the workplace.

All employees are required to comply with the City’s policy. Any employee who violates this policy will be subject to the full weight of disciplinary sanctions, up to and including discharge. Any department head or supervisor violates this policy if, having been made aware of conduct by an employee that violates this policy, that department head or supervisor knowingly allows the conduct to continue.

**§ 34-18 Individuals and Conduct Covered**

This policy applies to all applicants and employees, and prohibits unlawful harassment, discrimination and retaliation, whether engaged in by or with fellow employees, a supervisor or someone not directly connected to the City (e.g., an outside vendor, contractor, consultant or resident). Conduct prohibited by the policy is unacceptable in the workplace and in any work-related setting outside the workplace, including during business trips, business meeting and business-related social events. It is the responsibility of supervisory personnel to be aware of and sensitive to conditions, situations or circumstances which, left unresolved, could potentially rise to the level of unlawful harassment, discrimination or retaliation in the workplace, and to take appropriate remedial action to address the conditions, situations or circumstances as soon as possible.

The City Manager will carry out those duties necessary to ensure compliance with this policy. The City Manager will designate, in writing, one or more Harassment Complaint Officers, to receive and investigate complaints of violations of this policy. Copies of this policy and the written designation of Harassment Complaint Officer (including their contact information) will be posted in conspicuous places and be available to employees and applicants for employment.

#### **§ 34-19 Equal Employment Opportunity**

The City is committed to a policy of ensuring equal employment opportunity to all employees and applicants for employment without unlawful discrimination with regard to race, color, religion, creed, gender, national origin, age, disability, marital status, citizenship status, military or veteran status, sexual orientation, domestic violence victim status, genetic information, or any other characteristic protected by applicable law. In accordance with all applicable federal, state and local laws, this commitment to equal employment opportunity extends to all employment decisions including, but not limited to, recruitment, hiring, compensation, benefits, training, promotion, demotion or downgrading, transfer, layoff and recall, termination, and all other terms and conditions of employment. The City prohibits and will not tolerate this kind of discrimination.

#### **§ 34-20 Anti-Harassment Policy**

##### **A. Sexual Harassment**

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2. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, the behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body; sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually explicit objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Gender-based harassment - that is, harassment not involving sexual activity or language (e.g. when a male supervisor yells only at female employees and not males) - may also constitute discrimination if it is severe or pervasive and directed at employees because of their gender. The City prohibits and will not tolerate all of these types of sexual harassment.

## **B. Harassment on the Basis of any other Protected Characteristic**

1. Harassment on the basis of any other protected characteristic is also strictly prohibited by the City. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, creed, gender, national origin, age, disability, marital status, citizenship status, military or veteran status, sexual orientation, genetic information, or any other characteristic protected by applicable law and that: (i) has the purpose or effect of creating an intimidating, or hostile work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.
2. Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail). The City prohibits and will not tolerate all of these types of harassment.

### **§ 34-21 Retaliation is Prohibited**

The City prohibits retaliation against any individual who in good faith reports discrimination or harassment or participates in an investigation of those reports. Retaliation against an individual for in good faith reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy. Violators will be subject to disciplinary action up to and including termination.

### **§ 34-22 Complaint Procedure**

#### *A. Reporting an incident of Prohibited Harassment, Discrimination or Retaliation:*

The City strongly urges the reporting of all incidents of harassment, discrimination or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe to be contrary to the City's policy or who have concerns about these matters should file their complaints before the conduct becomes severe or pervasive. The complaint may be filed with the employee's immediate supervisor or any individual designated in writing by the City Manager as a Harassment Complaint Officer. If the complaint involves one of the Harassment Complaint Officers, it may be filed with the City Manager. If the complaint involves the City Manager, it may be filed with the Mayor. Individuals should not feel obligated to bring their complaints to their immediate supervisor before bringing the matter to the attention of the Harassment Complaint Officer, the City Manager or the Mayor. Employees can submit claims in writing, by e-mail or by meeting in person. All oral complaints or reports must be documented in writing by the City. A department head or supervisor who observes harassment, discrimination or retaliation, or receives a complaint of same, must immediately make a report to the Harassment Complaint Officer, the City Manager or Mayor, respectively.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of prohibited harassment. Therefore, while no fixed reporting period has been

established by this policy, the City strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The City will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its employees. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcomed and requesting that it be discontinued.

#### **§ 34-23      The Investigation**

- A. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly, and impartially pursuant to the direction of the City Manager or, if the complaint involves the City Manager, pursuant to the direction of the Mayor. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. No individual who is the subject of a harassment, discrimination or retaliation complaint will play a role in the decision-making process with respect to the resolution of the complaint.
- B. The City Manager (or Mayor) will make best efforts to ensure the investigation of all complaints of harassment, discrimination or retaliation, preparation of written findings of the results of each investigation and the remedial actions proposed. This report will be considered an internal memorandum and one protected by personal privacy rights so as to not be subject to disclosure pursuant to the Freedom of Information Law. The City Manager (or Mayor) will communicate with the complaining party about the results of the investigation and remedial actions taken, if any, all within a reasonable period of time consistent with the circumstances of the complaint.
- C. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. If, after investigating any complaint of harassment or discrimination, it is determined that an employee has intentionally made a false claim of harassment or has intentionally provided false information regarding a harassment or discrimination complaint, disciplinary or legal action may be taken against that individual.
- D. No record of a complaint will be kept in the complaining employee's personnel file, unless the investigation concludes that the employee intentionally made a false claim of harassment or intentionally provided false information regarding a harassment or discrimination complaint.

#### **§ 34-24      Responsive Action**

Misconduct constituting prohibited harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action including, but not limited to, a warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion,

reassignment, temporary suspension without pay or termination, as the City believes to be appropriate given the circumstances, and in accordance with applicable law.

Individuals who have questions or concerns about these policies should contact the City Manager.

**§ 34-25 Additional Rights**

Nothing in this policy will be construed in any way in order to limit an employee's rights before the United States Equal Employment Opportunity Commission, the New York State Division of Human Rights or the Orange County Human Rights Commission, or to take any other legal action which the employee may deem advisable to pursue.

**§ 34-26 Severability**

If any clause, sentence, paragraph, section or part of this Article shall be adjudged by any court of competent jurisdiction to be invalid or otherwise unenforceable, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 2.** This Equal Employment Opportunity and Anti-Harassment Policy takes effect on April 14, 2015.

RESOLUTION NO.: \_\_\_\_\_-2015

OF

APRIL 13, 2015

**A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ACCEPT DONATIONS IN SUPPORT OF THE  
CITY OF NEWBURGH'S ANNUAL MEMORIAL DAY AND FOURTH OF JULY  
OBSERVANCES, NATIONAL NIGHT OUT,  
THE ANNUAL INTERNATIONAL FESTIVAL,  
THE HALLOWEEN EVENT FOR 2015**

**WHEREAS**, the City of Newburgh annually holds Memorial Day and Fourth of July Observances, National Night Out, the Annual International Festival over the Labor Day holiday, and the Halloween Event; and

**WHEREAS**, various businesses, firms and individuals have made and are willing to make contributions of money and in-kind assistance to support these 2015 events; and

**WHEREAS**, this Council deems it to be in the best interests of the City of Newburgh to accept such donations;

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Newburgh, New York that the City Manager be and he is hereby authorized to accept said donations with the appreciation and thanks of the City of Newburgh on behalf of its children, families and citizens, for their support and sponsorship of the City of Newburgh's annual Memorial Day and Fourth of July Observances, National Night Out, the Annual International Festival, and the Halloween event.

### **SECTION 3 - VALIDITY**

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

### **SECTION 4 - EFFECTIVE DATE**

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

~~Strikethrough~~ denote deletions  
Underlining denotes additions