

MINUTES OF SEA CLIFF VILLAGE BOARD
July 9, 2018

The meeting of the Incorporated Village of Sea Cliff was held on Monday, July 9, 2018, at 7:00 p.m. at Village Hall to discuss various Village matters.

Present: Edward Lieberman, Mayor
Kevin McGilloway, Deputy Mayor
Dina Epstein, Village Trustee
Deborah McDermott, Village Trustee
Henriette Rohl, Village Trustee
Brian Stolar, Village Attorney
Marianne Lennon, Village Clerk
Bruce Kennedy, Village Administrator

Welcome to the Board Meeting of July 9, 2018

Stella Cashman and Fiona Hughes led the audience in the Pledge of Allegiance.

On a motion by Deputy Mayor McGilloway, seconded by Trustee Epstein and unanimously approved by those present, the minutes of June 11, 2018 and the amended minutes of June 4, 2018 were hereby approved.

Deputy Mayor McGilloway offered the following resolutions for adoption:

RESOLUTION NO. 39, YEAR 2018

WHEREAS, in response to requests for bids in connection with the Sea Cliff Fire Department Window and Façade Rehabilitation Project (the "Project"), the Village received bid proposals from two bidders; and

WHEREAS, the bids were opened on April 6, 2018, and A1 Construction Service, Inc., submitted the lowest cost bid, in the sum of \$594,551; and

WHEREAS, the A1 bid submission included a required bid bond issued by Bondex Insurance Company, as surety, in the sum of \$29,727.55 (5% of the bid); and

WHEREAS, that on May 1, 2018, A1 submitted correspondence to the Village stating that they have "discovered a mathematical error" and that they cannot do the work for the amount bid; and

WHEREAS, upon A1's advice that they are refusing to perform the work for the submitted bond price, the Village scheduled a hearing for July 2, 2018 to determine whether to declare a default of the bid bond, directed the Village Attorney to notify A1 and the surety in writing of the scheduled hearing, and awarded the contract to the next lowest cost bidder for a cost of more than \$29,727.55 in excess of A1's bid; and

WHEREAS, such notice was provided to A1 and the surety and in response, A1 submitted certain documents to the Village;

NOW, THEREFORE, BE IT

RESOLVED, that the Board has considered A1's document submission, and finds that the information submitted by A1 does not provide proof that there was a mathematical error made in the bid submission or that the discovery of that purported error and notice to the Village was timely, and it is further

RESOLVED, that based upon the Board's review of the information provided, and upon the recommendation of the Village Attorney and Grants Administrator, the

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Board finds and concludes that the A1 and Bondex are in default of their respective obligations pursuant to the bid bond, and that the bid bond is in default, and it is further

RESOLVED, that the Village Attorney is authorized on behalf of the Village to take any and all such action (including litigation if appropriate) as may be reasonably required to (a) enforce the Village's rights against A1 and/or Bondex, with respect to the bid and bid bond, and (b) pursue claims, including litigation, to recover the village's costs of awarding the contract to the next lowest bidder, and of enforcing the bid bond.

Seconded by Trustee Epstein and unanimously approved by those present.

RESOLUTION NO. 40, YEAR 2018

RESOLVED, that the Mayor is hereby authorized to sign a Preservation Covenant with the People of the State of NY thru the Commissioner of Parks, Recreation & Historic Preservation with regard to the Firehouse Window and Façade Rehabilitation Project.

Seconded by Trustee Epstein and unanimously approved by those present.

Deputy Mayor McGilloway

Deputy Mayor McGilloway reported on his liaison committees:

- **Tech Task Force** – Liz Baron reported on the RFP
- **Sub-division moratorium task force** – planning for Town Hall meeting in August

Mayor's Report

Mayor Lieberman read a statement on the Public Service Commission findings regarding New York American Water.

Mayor Lieberman thanked everyone involved for making the July 4th event successful.

Trustee Epstein

Trustee Epstein reported on her liaison committees:

- **Environmental Conservation Commission** – one composter is still available to purchase
- **Traffic and Safety Committee** – Car Free Day is September 21st.

Trustee McDermott

Trustee McDermott reported on her liaison committees:

- **Coalition Against Substance Abuse**: planning for fall event
- **5 Year Plan** – formalizing groups

Trustee Rohl

Trustee Rohl reported on her liaison committees:

- **Fire Department** – Report for June: 20 ambulance and 19 fire calls
- **Beach**

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- **Beautification**
- **Museum** – special event planned for October 12th

Old Business:

The Board discussed recommendations from the Littleworth Lane Joint Committee, and the following actions are recommended by the Board:

- Once the school removes the playground fence off of the right of way and puts back on the property line, the Village will repair the sidewalk
- Crosswalks will be painted by the handicap sidewalk entrance on Carpenter and Littleworth Lane.
- Village will paint double lines in the center of Littleworth Lane and single lines on edges of street between Carpenter Avenue and Hansen Place
- Village to confirm that the location of school zone signage (providing for a limit of 15mph during school hours) complies with existing locations identified in the Village Code.

Public Comment:

- Resident suggested that FAQ about New York American Water be put on website
- continuous education is needed on recycling
- Stop signs on certain one way streets
- Concerns with use of 18th Avenue stairs/right of way
- A few residents would like Littleworth Lane to be closed seven days a week, 7am-7pm

On a motion by Deputy Mayor McGilloway, seconded by Trustee Epstein and unanimously approved by those present, the meeting adjourned at 9:40pm.

Marianne Lennon
Village Clerk