

Village of Ellenville
Workshop Meeting
December 18, 2009
12:00 p.m.

The workshop was called to order at 6:25 p.m. by Mayor Jeffrey Kaplan.

ROLL CALL	Mayor Jeffrey Kaplan	Present
	Deputy Mayor Raymond Younger	Absent
	Trustee Lopez	Present
	Trustee Oliveras	Present
	Trustee Steinhoff	Present

ALSO PRESENT

Mary Sheeley, Village Manger
Peter Berger, Village Attorney
Brian Schug, Code Enforcer Schug
Noreen Dechon, Village Clerk
Glen Gildaly, Barton & Loguidice

The purpose of this meeting was to award Contract No. 1E- Photovoltaic Construction for the new Wastewater Treatment Plant project.

The bid opening took place on December 15, 2009 and two bids were received. They were:

Alteris Renewables	\$329,467.00
Extraterrestrial Materials, Inc.	\$290,000.00

Mr. Gildaly reviewed with board members his firm's assessment of the bids. It is their opinion that the low bidder, Extraterrestrial Materials, Inc. (ETM) submitted a non-conforming bid.

Barton & Loguidice requested the Village Attorney to review the bids and contract documents to verify the non-conformance of ETM's bid.

**MOTION TO REJECT
BID FROM EXTRATERRESTRIAL
MATERIALS, INC.
#121809-01**

Motion to Trustee Steinhoff, seconded by Trustee Lopez to reject the bid from Extraterrestrial Materials, Inc. (ETM) for Contract No. 1E – Photovoltaic Construction for the Wastewater Treatment Plant Facility Improvement projects due to the following reasons:

1. ETM acknowledged receipt of the Addendum decreasing the incentive from \$125,000.00 to \$100,000.00. However, they submitted they submitted their bid on the form with the \$125,000 incentive.
2. ETM included no bond surety's intent. They attached an email to the surety's intent discussing their use of their supplier's surety. They included no power of attorney for the surety's intent.
3. ETM included no power of attorney for the bid bond.
4. ETM listed the solar panels and inverters listed did not comply with the Buy American provisions of ARRA 1605.
5. ETM did not provide any information and did not fill out the NYSERDA incentive form.

All in favor - Aye - motion carried

Discussion among board members, Barton & Loguidice and attorneys from the Environmental Facilities Corp in reference to the 10% match for funding of the photovoltaic system and how it would effect a grant that the Village of Ellenville will be receiving from NYSERDA. EFC confirmed that the 10% match would not affect the grant money.

**RESOLUTION TO
ACKNOWLEDGE 10%
MATCH FOR FUNDING
OF THE PHOTOVOLTAIC SYSTEM
THE VILLAGE OF ELLENVILLE
#121809-02**

Whereas the Village of Ellenville has competed for and received preliminary approval (\$314,262.00) for funding through the Green Innovation Grant Program (GIGP), administered by the NYS Environmental Facilities Corporation (EFC);

Whereas the grant funding would be used to pay for 90% of the cost related to the design, purchase and installation of a Photovoltaic system to be located at the central Wastewater Treatment Plant (WWTP) up to the award amount of \$314,262.00;

Whereas, the Village of Ellenville acknowledges a minimum 10% "match" of the GIGP which is required by the NYS EFC and said funds will be made available through the existing Sewer Fund.

Whereas the Village of Ellenville Grant Agreement and related attachments from the NYS EFC; BE IT
RESOLVED:

That the Mayor of the Village of Ellenville is authorized to sign the Grant Agreement and any related documents provided by the NYS EFC related to this project subject to review and approval by the Village Attorney.

Roll Call Vote:	Mayor Kaplan	Aye
	Trustee Lopez	Aye
	Trustee Oliveras	Aye
	Trustee Steinhoff	Aye

Motion passed

**RESOLUTION AWARDING
THE BID TO ALTERIS
RENEWABLES
#121809-03**

Motion by Trustee Oliveras, seconded by Trustee Lopez to award the bid for Contract No. 1E – Photovoltaic Construction for the Wastewater Treatment Facility Improvement Project to Alteris Renewable in the amount of \$329,467.00. This bid is awarded with the understanding Alteris Renewables will confirm bid amount is in effect until such time the construction begins no later than October 1, 2010.

All in favor - Aye - motion carried

**MOTION AUTHORIZING THE
MAYOR TO SIGN AN AGREEMENT
BETWEEN THE TOWN OF WAWARSING,
VILLAGE OF ELLENVILLE AND YMCA
OF KINGSTON
#121809-04**

Motion by Trustee Steinhoff, seconded by Trustee Oliveras authorizing the Mayor to sign an agreement between the Village of Ellenville, Town of Wawarsing and the YMCA of Kingston, Ulster County dated December 16, 2009 with the Village of Ellenville's share being \$81,000.00.

All in favor - Aye - motion carried

ADJOURN

Motion by Trustee Oliveras, seconded by Trustee Steinhoff to adjourn at 1:10 p.m.

All in favor – Aye – motion carried.

Respectfully submitted,
Noreen Dechon, Village Clerk