



TOWN OF DEERPARK

GARY I. SPEARS, SUPERVISOR
DAVID M. DEAN, COUNCILMAN
ARTHUR TROVEI, COUNCILMAN
KENNETH SMITH, COUNCILMAN
ALAN F. SCHOCK, COUNCILMAN

RESOLUTION #25 OF 2018 OF THE TOWN BOARD OF
THE TOWN OF DEERPARK, ORANGE COUNTY,
NEW YORK

WHEREAS, the Town of Deer park, County of Orange, State of New York, is a municipal corporation conducting business in the County of Orange, State of New York; and

WHEREAS, FUSCO ENGINEERING AND LAND SURVEYING, P.C. is an engineering firm licensed by the State of New York; and

WHEREAS, the Town of Deer park and Fusco Engineering had previously entered into a contractual agreement by which Fusco Engineering provides services to the Town of Deer park pursuant to a contract; and

WHEREAS, the said contract is set to expire on December 31, 2018; and

WHEREAS, the Town of Deer park and Fusco Engineering wish to continue their relationship pursuant to a new revised contract.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Deer park, County of Orange, State of New York, hereby affirms their wish to continue a contractual relationship with Fusco Engineering and Land Surveying, P.C.; and

BE IT FURTHER RESOLVED, that the Town of Deerpark, County of Orange, State of New York, by this Resolution authorizes the Supervisor of the Town to execute a Four Year (4) contract with Fusco Engineering and Land Surveying, P.C., providing for annual increases of Two Percent (2%) with a Ninety Day (90) Termination Without Cause Option By Either Party clause; and

BE IT FURTHER RESOLVED that the Supervisor of the Town of Deerpark is hereby authorized to execute such forms and documents as may be required as to give effect to this Resolution.

Moved by: Al Schock

Seconded by: Art Trovei

Roll Call:

5 Ayes Councilman: David Dean Councilman: Art Trovei
 Councilman: Kenneth Smith Councilman: Alan Schock
 Supervisor: Gary Spears

Nays: 0 Abstentions: 0



Florence T. Santini, Town Clerk

DATED: December 3, 2018

AGREEMENT

THIS AGREEMENT, made this 1st day of January, 2019 between the TOWN OF DEERPARK, 420 Route 209, P.O. Box 621, Huguenot, New York 12746, hereinafter referred to as "TOWN" and FUSCO ENGINEERING & LAND SURVEYING, P.C., 233 East Main Street, Middletown, New York 10940, hereinafter referred to as "CONTRACTOR":

WITNESSETH:

WHEREAS, the TOWN and the CONTRACTOR wish to enter into an Agreement for the purpose of providing the TOWN with Engineering Consultant Professional Services for the Town and with Building Inspector services for the Town of Deerpark, Orange County, New York.

NOW THEREFORE the parties agree to the following:

FIRST: The CONTRACTOR will provide town engineering services including the following:

Contract Information: The purpose of this Contract is to secure various planning and engineering services for the design, review or inspection of various civil works and land development activities within the boundaries of the Town of Deerpark.

Part 1: An hourly fee schedule for the services of a Town Engineer who shall be available to the Town and shall attend the Town Board's monthly business meeting, meetings with Town Board Supervisor and/or Members, Highway Superintendent, Town Clerk, Town Attorney and any other Town Officials, Planning Board or other Boards. Also, daily engineering such as review of water problems, sewer problems, drainage problems, road issues, constituent complaints, regulatory reports, OCTC meetings and correspondence, review of other professional work product, grant review, review all correspondence, phone calls related to the Town, review projects with the Town Board, develop estimates and feasibility for special project status under Part 2 of this Agreement.

Part 2: An hourly fee schedule for the purpose of establishing the base rates to be charged for larger work efforts that will be defined in Delivery Orders (Dos) as the year progresses and projects are defined. Projects under \$2,000 can be authorized by the Supervisor; projects over \$2,000 requires a majority of Board members.

Part 3: Annual fee for building inspection services. Contractor is to provide 30 hours per week for building inspection services and code enforcement on complaint basis. Large projects to deposit funds in escrow accounts for extra inspections required.

Specific disciplines and skills include, but are not limited to, civil (design)/structural engineering; hydraulic/hydrologic engineering; hydro geologic assessments; surveying and mapping; GIS data processing; environmental assessment; Hazardous Toxic Radiological Waste assessment; real estate assessment; soil borings; technical report writing; cost estimating; construction bid package preparation and bid evaluations; and construction inspection.

Supervisory and/or key personnel have experience in the following:

1. Town wide planning efforts,
2. Budgeting,
3. Roadway design and analysis,
4. Drainage design and analysis,
5. Water supply design and analysis,
6. Sanitary sewer disposal design and analysis,
7. Mapping,
8. Environmental assessments,
9. Restoration,
10. Cost engineering,
11. Construction bid package preparation and evaluation,
12. Construction inspection,
13. Providing briefings to municipal boards and the general public.

SECOND: The CONTRACTOR will provide Building Inspector services for the TOWN as same are defined and set forth in the Zoning Code of the Town of Deerpark and any revising thereof and code enforcement by complaint. Services to be paid by the Town or escrow accounts on case-by-case basis. The Town will provide clerical office and office supplies and transportation and pay for same. Town employee to collect all fees.

THIRD: The CONTRACTOR to provide Planning Board reviews for projects submitted utilizing escrow account funds for payment of services.

FOURTH: The CONTRACTOR to provide post construction inspections after Planning Board approval and during and after Zoning Board of Approval submittals utilizing escrow account funds for payment of services.

FIFTH: The CONTRACTOR will provide the TOWN with proof of professional liability insurance for work performed for design projects. The Town will provide official liability insurance coverage for Town Engineer and Building Inspector duties upon swearing-in for oath of office.

SIXTH: The CONTRACTOR will be compensated as per Schedule A attached.

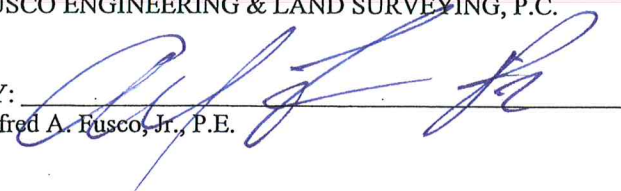
SEVENTH: This Contract shall have a term from January 1, 2019 to December 31, 2022.

EIGHTH: Projects over \$2,000 shall be approved by 3 councilpersons prior to start. Projects under \$2,000 can be authorized by Supervisor.

NINTH: This Agreement may be canceled by the TOWN upon ninety (90) days written notice to CONTRACTOR. CONTRACTOR to be paid for all work done as of date of termination.

IN WITNESS WHEREOF, the parties have hereunto duly executed and delivered this Agreement the day and year first above written.

FUSCO ENGINEERING & LAND SURVEYING, P.C.

BY: 
Alfred A. Fusco, Jr., P.E.

TOWN OF DEERPARK
TOWN BOARD

BY: 
Gary Spears, Supervisor

SCHEDULE A:

Engineering and Planning Board Fee Schedule for Delivery Order Work (2019-2022):

Principle Engineer	\$ 86/hr
Project Manager	\$ 86/hr
Staff Engineer	\$ 86/hr
Cad Operator/Draftsman	\$ 70/hr
Inspector	\$ 75/hr
Survey Chief	\$ 65/hr
Survey Technician	\$ 45/hr
Secretary	\$ 35/hr
Technician	\$ 55/hr

Building Department

Hourly payments from escrow accounts for Building Department to be paid at above rate schedule.

	<u>Payment for Building Department</u>	
2019	\$112,616/year	\$9,384.66/month
2020	\$114,868/year	\$9,572.33/month
2021	\$117,165/year	\$9763.75/month
2022	\$119,508/year	\$9,959.00/month