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# Construction NEWS



Vol. 39 No. 9

LABOR UPDATE 2023

\$1.50

## NYS DOT Region 8 Lettings on Track With Significant Paving, Traffic Signal Projects

By JOHN JORDAN

TARRYTOWN—An analysis of both projects awarded so far in 2023 and those scheduled to be bid for the remainder of the year and into early 2024 indicates that the New York State Department of Transportation has focused its capital funding, for the most part, on paving and traffic signal projects in Region 8.

From Jan. 1, 2023, through July 13, 2023, NYS DOT's Region 8 has bid more than \$74.4 million of projects for the seven and a half months from Jan. 1, 2023 through July 13, 2023. During that period, Region 8 has bid eight paving projects, totaling nearly \$35 million for paving improvement work and another three traffic signal projects worth approximately \$35 million.

A leading industry executive also observed that this year Region 8 has put an increased focus on pavement conditions, pointing to long-standing complaints that Region 8 has the worst pavement conditions in the state. By year end, Region 8 is projected to bid 11 paving projects for a total projected spend of \$61 million, which is 25% of the total budgeted for Region 8, said John Cooney, Jr., executive director of the Construction Industry Council of Westchester & Hudson Valley Inc.

He projected there is another \$179 million of work volume to be let for bid for the remainder of 2023 NYS DOT's Green Book schedule, and that this would put



### ELQ on the HRP

ELQ Industries of New Rochelle, NY was awarded a \$5.6 million contract for highway safety improvements on the Hutchinson River Parkway. On the job since June, ELQ has cleaned drainage structures and is continuing to alter/rebuild remaining drainage structures. Milling, paving and marking upgrades are expected to start in October, all part of NYS DOT Region 8's overall capital program of pavement restoration. Among the ELQ employees performing nightwork Sept. 21 are, from left, Jorge Zhina, Amado Perez, Leopoldo Soriano, Gil Pinto, Joann Gentile, Junior Godinez and Ricardo Ferreira, all members of Local 60.

Photo Credit/GEORGE DRAPEAU III

total project lettings for Fiscal 2023/2024 at approximately \$250 million.

He pointed out that these levels are still some \$50 million below the normal

\$300 million in annual highway lettings in Region 8 prior to the establishment of the latest NYS DOT Five-Year Capital Plan.

The Five-Year Capital Plan calls for a \$300-million reduction in overall state/local construction spending. That, combined with 25% construction inflation are the major reasons for decreased project count and funding in Region 8.

The funding increases in the NYS DOT Five-Year Capital Plan are targeted to large "Signature Projects." Along with the Van Wyck/I-81 and Kensington mega projects, Gov. Kathy Hochul has committed \$1-billion in connection with improvements and expansion of Route 17 in Orange and Sullivan counties, which will benefit the region's heavy highway construction sector in 2024 and beyond.

"The New York State Department of Transportation Stage 2 portion of the Route 17 at Exit 122 project is anticipated to begin in 2024 with a projected cost of \$85 million. The Record of Decision (ROD) for the Route 17 expansion project EIS is anticipated in 2025 with estimated projects and costs at that time," according to a statement released by NYS DOT to CONSTRUCTION NEWS.

Mark Tiano, PE, NYS DOT Regional Design engineer and Mark Kruk, NYS DOT Project Manager, at a public hearing in early June on future improvements to Route 17, told CONSTRUCTION NEWS they expect a Record of Decision

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## Homeownership, Rent Costs Out of Reach For Many Living in H.V. Counties: Report

By JOHN JORDAN

NEWBURGH—It's been a tough year for renters and home buyers in most of the Hudson Valley, and if one study is any indication, things don't look to be getting easier anytime soon.

A slowdown in the region's housing market prompted by

higher costs and higher interest rates points to an affordability crisis that is gripping many of the nine counties in the Mid-Hudson Region.

A new report shows that higher interest rates, on top of the region's long-standing shortage of homes for sale,

have made a brutal market even harder.

Hudson Valley Pattern for Progress released a new report on Sept. 12 that clearly identifies an affordability crisis for housing in the region, fueled by stagnant wages, increasing rents, and skyrocketing home prices that have stretched household budgets to their limits.

The report, *Out of Reach Hudson Valley 2023*, uses federal and local data to examine the gap between wages and the cost of rental housing for those living in the nine-county region. Pattern also examined the affordability of homeownership throughout the Hudson Valley by comparing median home

prices to the mortgages for which typical families would qualify in each county.

The data show a persistent and clear trend across the entire Hudson Valley: the cost of housing has pushed beyond reasonable levels of affordability for most of our neighbors. A single worker cannot afford fair-market rent for a one-bedroom apartment in any of the nine counties, and median home prices are more than \$100,000 higher than the mortgage that typical families would qualify for in every county, Pattern officials stated.

"The data we analyze each year tell a clear and troubling story: most of our neighbors

cannot afford to live in the communities where they work,"

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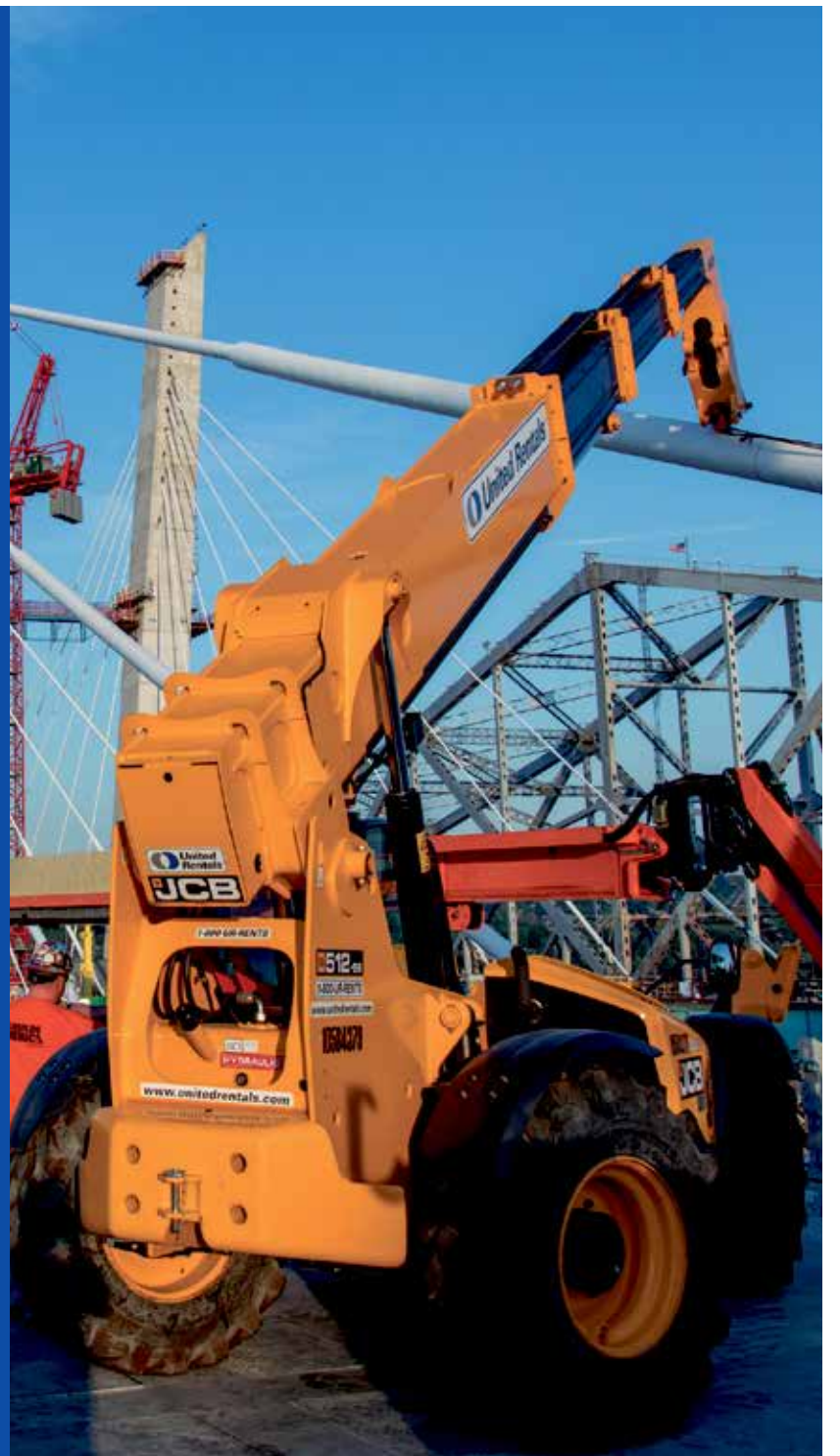


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# Labor Leaders Applaud Ulster County Law Strengthening Rules for Apprenticeships

KINGSTON, NY—Local labor leaders, apprentices and elected officials joined Ulster County Executive Jen Metzger on Sept. 6 in Kingston for a ceremonial signing of local law No. 10 in honor of Labor Day. The legislation was passed in May to strengthen requirements for construction apprenticeships in county government projects to promote skills development and expand opportunities for jobs locally.

The legislation requires all bidders on county government construction projects valued above \$750,000 to have an accredited apprenticeship program with a proven graduation rate above 30% consistently for the last five years.

“By setting higher graduation requirements in this law, we’re ensuring that our workers have the hands-on training, skills and job opportunities that they deserve,” said Ulster County Executive Metzger. “Thank you to my colleagues in the county legislature, and especially Legislator Kenneth J. Ronk, Jr., and Legislator Laura Petit for sponsoring this legislation. And thank you to the members of labor and county legislators who joined us for the signing.”

Daniel Ortega of Engineers Labor-Employer Cooperative 825 (ELEC 825) said the law will help boost local employment, improve safety and the quality of work on projects, and make the bidding process more competitive.

“We are grateful to County Executive Jen Metzger and to our local legislators for supporting this legislation, which is very important for our local workforce, communities and economy,” Mr. Ortega said. “This will ensure government agencies have access to a larger pool of skilled local contractors, and that young people receive proper training and have access to good-paying jobs locally.”

ELEC 825 is a collaborative labor-management organization representing building contractor associations in New York and New Jersey. ELEC 825 works to expand economic development and stimulate growth working with chambers of commerce, business partnerships, professional associations and industry coalitions to support policies, legislation and regulations that encourage responsible economic development.



Labor leaders and public officials joined Ulster County Executive Jen Metzger on Sept. 6 in Kingston for a ceremonial signing of legislation passed in May to strengthen rules for construction apprenticeships in county government projects. Pictured, from left: Robert McClinchey of DC9 Painters; Daniel Ortega of ELEC 825; Scott Smith of Carpenters Local 279; Chris, an apprentice with Plumbers Local 21; County Legislator Kathy Nolan; Chris Cerone of LiUNA Local 17; Ulster County Executive Jen Metzger; Dean Tamburri of LiUNA Local 17; Mike Ham of IUOE Local 825; County Legislator Manna Jo Greene; Tom O’Brien of Plumbers Local 21; County Legislator Laura Petit; Matt Ross of Carpenters Local 279; and Todd Diorio of LiUNA Local 17.



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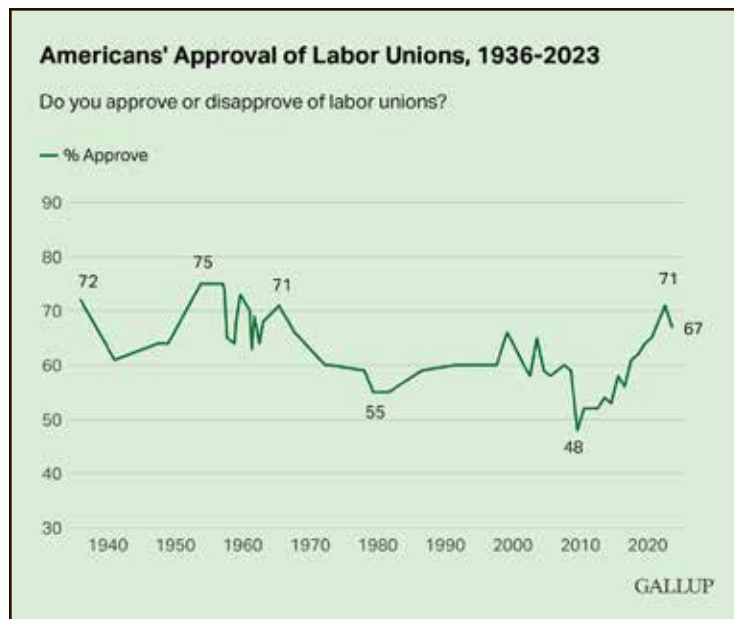
## COMMENTARY

# More in U.S. See Unions Strengthening And Want It That Way: Gallup Survey

By LYDIA SAAD

WASHINGTON—Labor unions continue to enjoy high support in the U.S., with 67% of Americans approving of them, which is similar to the elevated level seen in recent years after more than a decade of rising support. Mirroring this trend, Americans have gradually become more likely than a decade ago to want unions' influence to strengthen and to believe unions benefit various aspects of business and the economy.

In contrast to the incremental changes seen in U.S. adults' support of unions over time, the new poll documents an unprecedented uptick since the prior measure, in 2018, in perceptions that unions in the country will become stronger in the future than they are today. A third of



Americans (34%) believe this today, compared with 19% five years ago and no more than 25% at any time in the trend

since 1999.

## Union Approval Near Recent High Point

The 67% of Americans who approve of labor unions today is down slightly from 71% a year ago, but it marks the fifth straight year this reading has exceeded its long-term average of 62%.

In 2009, union approval plunged to an all-time low of 48% following the Great Recession, after which it took eight years to recover to its prior level near 60%. While approval has risen since then, it has not returned to its all-time high of 75% in the post-World War II heyday of unions in the 1950s, when workers' union membership peaked at about 35%, according to a Pew Research Center report. That figure is now 8%.

## Americans Favor Workers in Labor Disputes

The latest results are from Gallup's annual Work and Education poll, conducted Aug. 1-23. The survey also probed Americans' sympathies in the ongoing Hollywood writers and actors strikes, finding overwhelming majorities siding with the workers seeking higher pay and, in the case of writers, protection from losing work to AI.

By 72% to 19%, Americans sympathize more with the television and film writers than with the television and film production studios.

Sympathy for television and film actors is nearly as high, at 67%, while 24% side with the studios.

Three in four Americans also side with the United Auto Workers in their negotiations with U.S. auto companies, as workers' representatives demand significantly higher pay and benefits as well as a shorter workweek for their members. The union has now struck three Detroit automakers.

## As Union Power Grows; So Does Belief In Union Benefits

The August survey also

updated several indicators of public support for unions last asked in 2018 or earlier. Each measure shows relatively high public support for organized labor following years of gradual improvement after bottoming out in 2009.

The first is Americans' beliefs about the effect unions have on different groups.

- Some 77% now say that unions mostly help rather than hurt union members. Today's reading is up seven percentage points from 2016 and 11 points from 2009 and essentially ties the prior high of 76% in 2003.

- Meanwhile, a record-high 47% now believe unions help rather than hurt nonunion workers, well above the 38% saying this in 2016, which is tied for the prior high along with a 2005 measure.

- A record-high 61% also say unions help rather than hurt the U.S. economy, eclipsing

**A record-high 61% say unions help rather than hurt the U.S. economy, eclipsing the prior high from 1999 by six points.**

the prior high from 1999 by six points.

- Matching the prior high, 57% also say unions mostly help the companies where workers are unionized.

Similarly, Americans' desire for unions to have more influence in the country has increased gradually, from a record-low 25% in 2009 to 43% today. This marks a new high in desire for union empowerment, exceeding the prior high of 39% in 2017 and 2018.

## Support for Unions Up Among Partisans

On all measures of public attitudes toward unions, support is highest among Democrats and lowest among Republicans, with independents' views somewhere in the middle. However, the trends for all three groups have increased since 2009, largely paralleling the national figures.

This is seen in overall approval of unions, where approval among Democrats,

Republicans and independents all declined in 2009 and then gradually recovered. Currently, 88% of Democrats, 69% of independents and 47% of Republicans approve.

In addition, Democrats' desire for unions to have more influence has reached a record high of 61%—one point above the trend high previously measured in 2005 and 2018—after falling to 39% in 2009. Independents' desire to see unions' influence grow is at an all-time high of 45%. Republicans are much more likely to want unions to have less rather than more influence, but the 21% today who want them to have more influence roughly ties with last year's 22% record high.

## Conclusion

Labor unions are enjoying a moment of high public approval and strong belief in the benefits they offer to workers, businesses and the economy. This partly reflects the lengthy recovery from unions' extraordinarily poor image in 2009, just after the recession and less than a year after the auto industry received federal bailouts. But attitudes have more than rebounded since then. After fully recovering from the recession by 2017, approval continued to rise throughout the pandemic, possibly due to the increased focus on worker needs during that period, as well as Republicans' growing distaste for corporate America.

U.S. adults are more likely now than at any time in the past quarter-century to believe labor unions will become stronger—possibly, at least in part,

because the Hollywood strikes have brought TV and movie production to a standstill this summer. The broader increase in worker strikes occurring in the U.S. in recent years may also be contributing to unions' perceived power.

Today's striking workers may have a stronger hand in their negotiations than they would have had in the past given today's elevated public support for unions—the public relations risks appear higher for employers today. One caveat for unions is that fewer than half of Americans still want union influence to grow. Also, Republicans continue to be more anti- than pro-union in many respects, meaning that significant resistance to expanding union power remains baked into the nation's two-party political system.

*About the author: Lydia Saad is the Director of U.S. Social Research at Gallup.*

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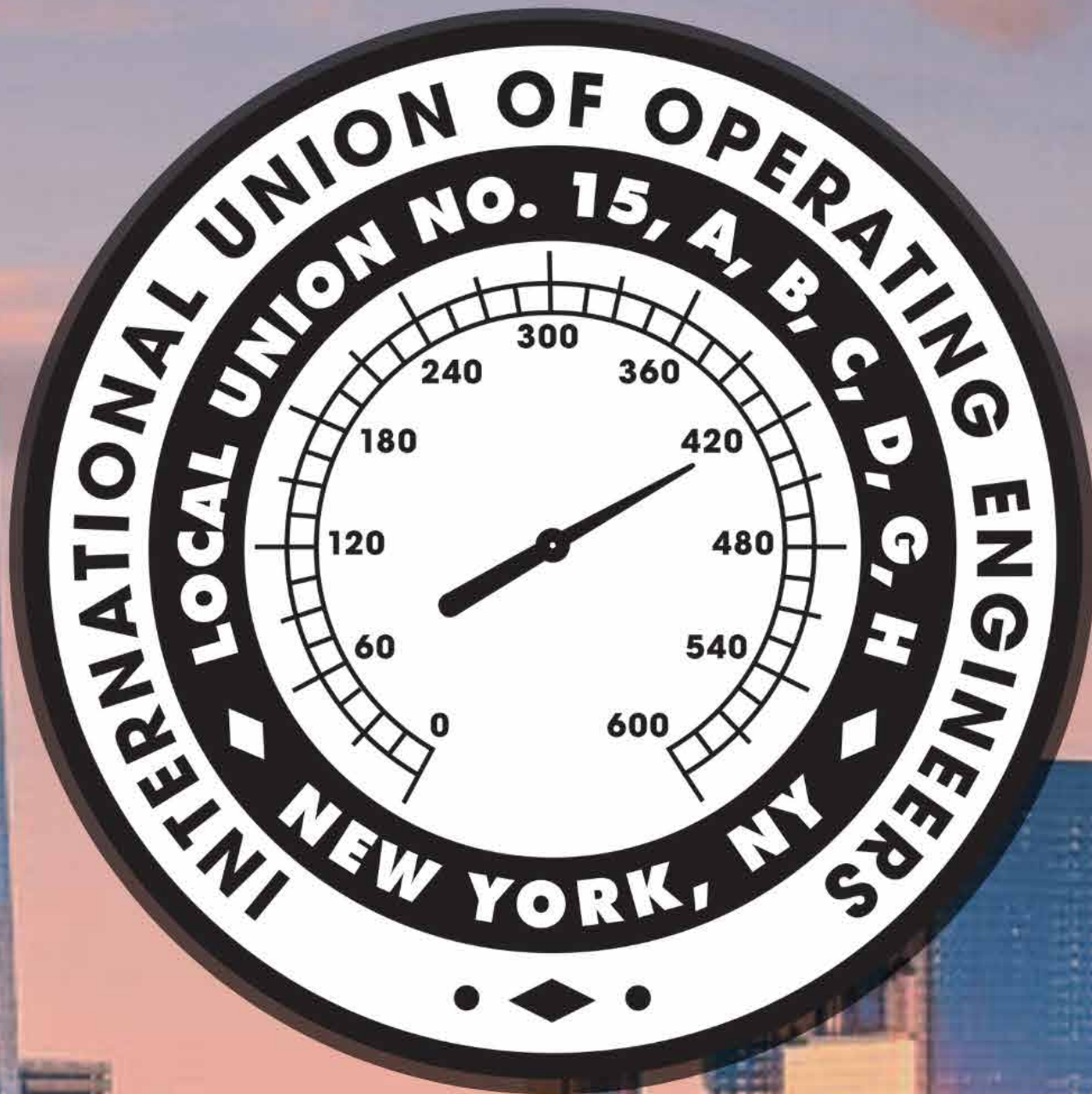
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**Attorney's Column**

# Court Clarifies that Scaffold Law Only Applies to Workers

By THOMAS H. WELBY, P.E., ESQ. and GREGORY J. SPAUN, ESQ.

Sections 200, 240(1), and 241(6) of New York's Labor Law are commonly referred to as New York's "Scaffold Law." The Scaffold Law was enacted back in 1885, long before the advent of the Worker's Compensation statutes or regulatory schemes designed to enforce worker safety (such as OSHA and its state analogues). New York is the last state with such a law on its books, and it is widely credited with driving up construction and insurance costs.



safety. However, until it is modified to include a comparative negligence standard (that accounts for any failures of the worker to follow directions or otherwise work correctly), it is accepted that any time a worker falls from a height or is hurt

as a result of a violation of the Industrial Code, the employer has no defense to the claim. Accordingly, high payouts by insurance companies (and high premiums for insurance poli-

ties) are a reluctantly accepted cost of engaging in construction in New York. While workers are insulated from the consequences of their own negligence by virtue of the absolute liability imposed by the Labor Law, an appellate court, in *Lauria v Lippolis Construction, Inc.*, reminds us that the benefits afforded by the Scaffold Law only apply to workers on the site, and not third parties.

**Background**

Prior to May of 2016, Lippolis Construction engaged to

ing to construct the forms for the footings. Before it poured concrete for the foundation, Lippolis requested that the village inspect the excavation and forms for the footings to make sure that everything would comply with the local building code. The village sent Building Inspector Fred Lauria to the site to perform the inspection. This was not Mr. Lauria's first visit to the site. Unfortunately, during this particular visit, Mr. Lauria tripped and fell, suffering a torn ACL and other associated injuries. Accordingly, Mr. Lauria commenced a personal injury lawsuit against Lippolis, alleging that Lippolis was negligent and also violated the applicable provisions of the Scaffold Law.

seeking to revive the Labor Law claims (with their strict liability standard). However, the appellate court affirmed, citing well settled case law that "the plaintiff was not within the class of persons subject to the protections of the Labor Law." **Comment**

At first blush, one would believe that the plaintiff would have been relieved that he was able to stave off summary judgment dismissing his negligence claim and, therefore, have his proverbial day in court. However, the Scaffold Law is particularly onerous because of its imposition of absolute liability—which does not permit the consideration of whether the plaintiff also had any fault for his injuries, or how much effort the contractor put into safety, or otherwise preventing the accident in the first place. Where strict liability is imposed, it is not a question of *whether* the plaintiff will get paid, only *how much*? Accordingly, one can understand why the fight over this standard is fought so vigorously. In the meantime, this decision reminds contractors that while common law negligence provides an incentive to provide for the safety of all of those on the worksite, the most onerous requirements are reserved for the protection of *workers*.

After discovery, Lippolis moved for summary judgment to dismiss the lawsuit. In support of the dismissal of the Labor Law claims, Lippolis noted that it was not disputed that he was only an employee of the village, and was not an employee of Lippolis or any other contractor on the site. As to the negligence claim, Lippolis argued that the excavation was open and obvious, and was not inherently dangerous; accordingly, Lippolis was not negligent in maintaining the site as it did. In opposition, Mr. Lauria claimed that as an "inspector," he is entitled to recovery under the Labor Law. Mr. Lauria also argued that there were questions as to whether the excavation constituted a hazard, which needed to be resolved at trial.

**Decision**

The motion court granted Lippolis' motion to the extent that it dismissed the Labor Law claims. In doing so, the court found that as Lauria was not an employee, he was not entitled to the protections set forth in the Labor Law. However, as to the negligence claim, the court found that, there was an issue of fact which precluded summary judgment. Lauria appealed,

*About the author: Thomas H. Welby, an attorney and licensed professional engineer, is General Counsel to the Construction Industry Council of Westchester and the Hudson Valley and the Building Contractors Association, and is the Founder of, and Senior Counsel to the law firm of Welby, Brady & Greenblatt, LLP, with offices located throughout the Tri-State/Greater Metropolitan Region. Gregory J. Spaun, General Counsel to the Queens and Bronx Building Association, and an attorney and a partner with the firm, co-authors this series with Mr. Welby.*

**The motion court granted Lippolis' motion to the extent that it dismissed the Labor Law claims. In doing so, the court found that, as Lauria was not an employee, he was not entitled to the protections set forth in the Labor Law.**

Further, in viewing the results of the repeal of Illinois' Scaffold Law back in 1995, it is not universally accepted that the law actually achieves its stated goal of promoting worker

as a result of a violation of the Industrial Code, the employer has no defense to the claim. Accordingly, high payouts by insurance companies (and high premiums for insurance poli-

construct two homes on Avenue C in the Village of North Port Washington. In May of 2016, Lippolis excavated for the foundations of both homes, and on May 16, 2016, it was commenc-

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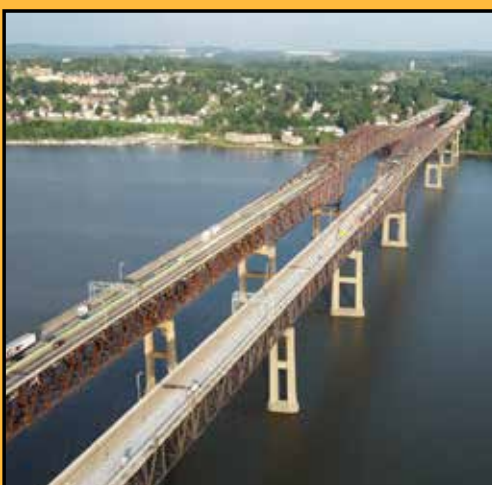
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# Construction Begins in Queens to Receive 339-Mile Champlain Hudson Power Express

NEW YORK—Construction is underway on the converter station for the 339-Mile Champlain Hudson Power Express (CHPE) transmission line terminating in Astoria, Queens.

The project paves the way for the first-ever transformation of a fossil fuel site into a grid-scale zero-emission facility in New York City. Once completed, the state-of-the-art facility will convert 1,250 megawatts of clean energy from direct current to alternating current power that will be fed directly into the City's power grid. The target for New York is that 70% of the state's electricity will come from renewable sources by 2030 as required by the nation-leading Climate Leadership and Community Protection Act.

Located in Astoria, Queens, construction on the converter station officially began on



Gov. Kathy Hochul was joined by federal officials, the Premier of Quebec and representatives of Transmission Developers and Hydro-Quebec at the Sept. 19 groundbreaking of a converter station in Astoria, Queens for the 339-Mile Champlain Hudson Power Express transmission line.

June 22, including significant remediation work that was required to prepare the site for construction of this zero-emissions facility. In total, six tanks which previously stored

12 million gallons of No. 6 oil, as well as nearly four miles of piping were removed from the site. During peak construction, approximately 150 union workers will develop the facility with

Kiewit Corporation as lead contractor for the site, which is expected to begin operating in 2026.

Construction on CHPE kicked off on Nov. 30, 2022,

in Whitehall, NY and since then project crews have been executing and preparing for construction activity throughout New York State. CHPE will provide competitively priced hydropower from Quebec that is expected to deliver enough clean energy to power over one million homes and is expected to reduce harmful emissions by 3.7 million metric tons—the equivalent of removing approximately 44% of the cars from New York City streets.

The project is also expected to provide a total of \$3.5 billion in economic benefits to New Yorkers and create approximately 1,400 family-sustaining jobs during construction, with a commitment to use a significant amount of union labor.

The historic CHPE project was contracted under the state's first-of-its-kind renewable energy and transmission program, known as Tier 4, which is administered by the New York State Energy Research and Development Authority (NYSERDA). The Tier 4 program is part of the Public Service Commission's Clean Energy Standard, which is designed to cost effectively and responsibly facilitate the delivery of a significant increase of renewable energy to New York City, an area of the state that relies on aging fossil fuel-fired generation located largely in underserved communities. These communities experience the most significant air quality issues and health impacts from fossil fuel emissions and has a marked need for improved grid reliability and resiliency.

As part of the construction kickoff, CHPE announced on Sept. 19 the first recipients of funding from the Green Economy Fund, a \$40-million fund created by Hydro-Quebec and Transmission Developers to support disadvantaged communities, low-income individuals, and transitioning fossil fuel workers in accessing and building careers in New York State's green economy. The GEF's direction is informed by an Advisory Board made up of experienced local community members, experts in workforce development, and environmental justice leaders across New York State.

Four awards totaling \$750,000 will be provided to Pathways to Apprenticeship, Stacks + Joules, Nontraditional Employment for Women, and the NYC District Council of Carpenters Apprenticeship Journeyman Retraining Educational & Industry Fund (AJREIF). These four organizations are focused on workforce development and training initiatives geared towards building an equitable and inclusive climate industry, and the awarded programs have laid out clear paths to high-quality careers

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# Woodbury Common Outlets Submits Plans for \$250 Million Expansion

By JOHN JORDAN

CENTRAL VALLEY, NY—Who said brick and mortar retail is dead. Woodbury Common Premium Outlets has new plans to dramatically grow the retail enterprise here in Orange County.

The owner of the property, Simon Property Group, launched plans for a new expansion of the property located at the intersection of I-87 and Route 17. The latest expansion plan is valued at \$250 million and, if approved, will feature:

- 155,000 gross square feet of new retail/restaurant space.
- A parking deck with 3,000+ spaces that will consolidate surface parking areas and promote safety by reducing pedestrian/vehicular intersections, Simon officials stated.
- 21,000 gross square feet of tenant storage space.
- A 200-room hotel, which is expected



An aerial rendering of the expanded Woodbury Common Premium Outlets in Central Valley.

to be built in the later stages of the project.

- Enhanced amenities that include a pedestrian-focused design with additional walkways, improved crosswalks

and enhanced wayfinding; a new children’s play area and new and improved landscaping.

Woodbury Common has submitted a Draft Supplemental Environmental

Impact Statement to the Village of Woodbury Planning Board to begin the municipal-review process.

“Woodbury Common Premium Outlets has been proud to be a dynamic source of economic growth generating hundreds of millions of dollars in tax revenue and thousands of jobs, as well as being a caring community neighbor,” said David Mistretta, Woodbury Common Premium Outlets General Manager.

Orange County Executive Steven Neuhaus said, “We’re grateful that since Day 1, Woodbury Common has been a great neighbor, created numerous entry level and career path jobs and been a major driver of both sales tax revenue and regional economic opportunity.”

L. Todd Diorio, president of the Hudson Valley Building & Construction Trades Council, told CONSTRUCTION NEWS that he is confident the Woodbury **Please turn to page 32**

## Homeownership, Rent Costs Out of Reach For Many Living in H.V. Counties: Report

Continued from page 1

Hudson Valley Pattern for Progress CEO Adam Bosch said. “As our neighbors choose to leave the region, have smaller families, and our workforce slowly shrinks, the Hudson Valley is starting to feel some of the most painful ramifications of stagnant housing and zoning policies. Civic leaders at every level must rally around evidence-based solutions to solve our regional crisis of housing affordability and availability. The vibrancy and viability of our communities will depend on actions that encourage the production of more housing at prices our working-class neighbors can afford.”

The Pattern report utilized county-by-county data from the National Low Income Housing Coalition, which examined hourly wages and fair-market rents to measure the affordability of rental housing. (Fair-market rent is the 40<sup>th</sup> percentile of renters who have moved within the past two years, which means it is lower than median market-rate rents.) Affordability is calculated by the standard that no individual or family should spend more than 30% of its total monthly income on housing. This year Pattern also used that standard to measure the affordability of homeownership in the Hudson Valley. Pattern calculated the mortgage for which households earning the area median income would qualify and compared that to the median price of homes in each county. Pattern examined these data for the nine-county region, including Columbia, Dutchess, Greene, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester.

### Key Conclusions

- Single adults working 40 hours per week on average renter wages cannot afford a one-bedroom apartment in any of the nine counties. Renters would need to earn anywhere from \$1 to \$26 more per hour

to afford rent in their respective counties. Renters in every county are considered “cost burdened.”

- Fair-market rents would need to decline anywhere from \$33 to \$1,343 per month to make them affordable for a person earning average renter wages across the region.

- Families are also stretched thin. Two working adults in a two-bedroom apartment can afford rent in seven of the nine counties. Fair-market rents remain unaffordable in Putnam and Rockland. However, two working renters meet the affordability standard by less than \$100 per month in Orange and Ulster counties, which leaves little money left over for other expenditures or emergencies.

- Wages earned by a typical renter ranged from 39%-61% of the area median income, a key metric for housing policies and programs.

- Since 2010, renters have comprised a larger proportion of all households in the Hudson Valley. From 2010-2021, the

\$100,000 in all nine counties. For a two-person household, the gap is anywhere from \$109,609 in Putnam County to \$280,699 in Westchester County. Data indicate that more middle-income households are staying in rent-

wage growth that significantly underperformed statewide and national trends.

The data from the report indicate that renters and homeowners in the Hudson Valley have little to spend on neces-

Currently, the older half of the labor pool (45-64) outnumber the younger half (ages 25-44) by approximately 100,000 people.

As the Baby Boomer generation continues to retire in larger numbers, the cohorts of workers coming into the Hudson Valley labor pool are only a fraction of their size. Consequentially, almost every industry sector in the nine-county region is struggling to find enough workers to meet their needs for labor. Pattern explained this trend—and its connection to housing—in a report released this past May entitled *The Great People Shortage and its Effects on the Hudson Valley* region.

A copy of the report can be accessed at: <https://www.pattern-for-progress.org/>

org/portfolio/the-great-people-shortage-a-special-report-analyzing-hudson-valley-demographic-trends-and-consequences/

Pattern stated that its “Out of Reach” report’s findings were troubling. “The solutions to our affordability crisis are not simple, and they cannot focus on one corner of our civic structure alone. State and federal governments must work to ensure that our hardworking neighbors are compensated fairly. To meet the demand for housing, state and local governments must adopt significant changes to land-use and housing policies that support the kind of development that is affordable for our residents. These efforts must include deeply affordable rentals as well as new opportunities for homeownership; many tenants are paying more in rent than they would on monthly mortgage payments, but traditional pathways to homeownership are unviable due to prices that have far outpaced incomes.

The Out of Reach report can be accessed at: <https://www.pattern-for-progress.org/portfolio/out-of-reach-2023/>

### The Homeownership Gap

	Q2 2023 Median Sale Price (NYSAR)	6% Down Payment for Median	Mortgage Needed to Afford Median	Mortgage Gap for Median	
				Single Householder	2 Person Household
Columbia	\$450,000	\$27,000	\$423,000	-\$286,972	-\$251,649
Dutchess	\$414,000	\$24,840	\$389,160	-\$187,372	-\$142,656
Greene	\$346,000	\$20,760	\$325,240	-\$216,267	-\$185,078
Orange	\$395,000	\$23,700	\$371,300	-\$169,512	-\$124,796
Putnam	\$450,000	\$27,000	\$423,000	-\$162,592	-\$109,609
Rockland	\$588,000	\$35,280	\$552,720	-\$292,312	-\$239,329
Sullivan	\$275,000	\$16,500	\$258,500	-\$155,915	-\$125,478
Ulster	\$400,000	\$24,000	\$376,000	-\$219,680	-\$181,727
Westchester	\$650,000	\$39,000	\$611,000	-\$335,937	-\$280,699

SOURCE: HUDSON VALLEY PATTERN FOR PROGRESS CENTER FOR HOUSING SOLUTIONS & COMMUNITY INITIATIVES

als as the cost of homeownership gets further out or reach for a greater proportion of them.

- An analysis of income data found that low-, moderate-, and middle-income earners saw their spending power stagnate or decline from 2010-2021. The trend for the bottom two-fifths

sary and discretionary expenses because the cost of housing is gobbling up a large proportion of their incomes. Many service workers, for example, are living month-to-month with little money left over for savings or emergencies. This has broader implications for the Hudson Valley. For example, migration data from the Internal Revenue Service show that more people have moved out of the Hudson Valley than into it for 24 of the last 25 years—a trend that has resulted in a net loss of 134,505 people since 1996. State education data show there are 34,088 fewer children in area schools than in 1996, Pattern officials stated. These deleterious trends are connected to, and partially caused by, the relatively high cost of housing in the Hudson Valley.

As a result, the region is now struggling through the early stages of a workforce crisis. Data show that our workforce shortages will also worsen in the next two decades unless the region can see a shift in well-established population trends.

### Annual Wage Gap

	Renter Annual Wage	To afford 1 BR FMR	To afford 2 BR FMR	1 BR FMR Gap	2 BR FMR Gap
Columbia	\$28,698	\$38,080	\$44,280	-\$9,382	-\$15,582
Dutchess	\$38,096	\$49,320	\$63,320	-\$11,224	-\$25,224
Greene	\$25,121	\$37,240	\$44,920	-\$12,119	-\$19,799
Orange	\$32,490	\$49,320	\$63,320	-\$16,830	-\$30,830
Putnam	\$36,896	\$86,800	\$98,040	-\$49,904	-\$61,144
Rockland	\$33,086	\$86,800	\$98,040	-\$53,714	-\$64,954
Sullivan	\$32,190	\$33,520	\$40,320	-\$1,330	-\$8,130
Ulster	\$30,167	\$46,200	\$59,920	-\$16,033	-\$29,753
Westchester	\$55,507	\$66,760	\$81,160	-\$11,253	-\$25,653

SOURCE: HUDSON VALLEY PATTERN FOR PROGRESS CENTER FOR HOUSING SOLUTIONS & COMMUNITY INITIATIVES

region saw an 8% increase in renter-occupied households and a 2% increase in owner-occupied households. The growth in renter-occupied households outpaced owner households by 2-to-1.

- The median price of a home in the Hudson Valley exceeds mortgage qualifications for the typical household by more than

of earners, which generally include people making up to \$50,000 per year, are of special concern. These workers have seen their wages flatten or decline relative to inflation, exacerbating their financial stress for housing and other necessary expenses. For earners in the lowest two quintiles, the Hudson Valley has seen



# Construction NEWS PHOTO GALLERY



The Pavers' Stephen Hocker of ECCO III Enterprises at bat with Samantha Occhiopinto of Montesano Brothers behind the plate for The Builders.



Matt Fante of Darante Construction, Ltd., captain of The Builders.



The Pavers' Maggie Cocks of ECCO III Enterprises was named the game's MVP.

## 3<sup>rd</sup> Annual CIC Softball Game Raises \$20K for Ukrainian Humanitarian Relief

By GEORGE DRAPEAU III

TARRYTOWN, NY—Looking to extend its bragging rights for another year, **The Pavers** led by **Stephen Hocker** of ECCO III Enterprises faced off against **The Builders**, which was captained by **Matt Fante** of Darante Construction, Ltd. on Fri., Sept. 8 at the Losee Park town field here.

Like the two previous contests in 2021 and 2022, this year's Charity CIC Softball game was played with the panorama of the magnificently magnificent Gov. Mario M. Cuomo Bridge. It was a fitting backdrop of construction-industry ingenuity and years of achievement. But on this waning summer Friday it was all about having some fun.

With the final score of 19-18 to **The Pavers**, it was also the third contest decided by a walk-off hit at the bottom of the seven-inning game. This year's hero was **Frank Gramarossa, Esq.**, of the law firm Welby, Brady & Greenblatt, LLP. Some \$20,000 was again raised from sponsors, underwriters and donors to care for orphans and families in Ukraine. It was also the second year that CIC partnered with St. Michael's Ukrainian Catholic Church in Yonkers to deliver life-sustaining funds to charity partners in Lviv.



As charity softball games go, it was another one for the ages. The one-pitch-at-bat format moved the play action along—each player had a swing of the bat in each inning. Play action was highlighted by a grand slam hit by **The Builders' Nick Wendell** of Shawn's Lawns, to score team members **Keith Guerzon** of Shawn's Lawns, **Jessie Lozada** of Thalle Industries and **Min-Hyung Kim** of ECCO III Enterprises. **Maggie Cocks** of ECCO III Enterprises scored one of the winning runs and was named MVP for her versatility on the field and

at bat. **Samantha Occhiopinto** of Montesano Brothers received MVP for **The Builders**.

"The game was a perfect example of what CIC does best," said CIC's **Sharon Regan Masciovecchio**, this year's CIC Baseball Commissioner and Organizer. "The outing brings together all elements of the Hudson Valley construction industry for something bigger than ourselves—whether that be a bridge, a clean water project, or this small effort to help a very troubled part of the world."

Leading the group in the singing of the National Anthem, **Maria Mora** of Montesano Bros. of **The Pavers** said she's coming back next year, in stronger voice and eager to play another day for a great cause.



Play action at third base and left field.



Play action was highlighted by a grand slam by The Builders. From left, Keith Guerzon and Nick Wendell of Shawn's Lawns, Jessie Lozada of Thalle Industries and Min-Hyung Kim of ECCO III Enterprises.



Frank Gramarossa, Esq., of Welby, Brady & Greenblatt, LLP, hit the walk-off hit to score the winning run.



Dan Neubauer of ECCO III Enterprises



Chris McCracken of Advance Testing Co.



From left, Montesano Brothers team members Erika Lazaro, Holly Lando, Annais Vega and Samantha Occhiopinto who was named MVP for The Builders.

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# Mount Vernon Agrees to Spend \$100M To Repair Clean Water, Sewer Violations

NEW YORK—Damian Williams, the United States Attorney for the Southern District of New York, and Lisa F. Garcia, the Regional Administrator for Region 2 of the U.S. Environmental Protection Agency, announced on Sept. 19 that the United States and the State of New York have entered into a civil Consent Decree with the City of Mount Vernon to resolve ongoing litigation regarding the city's non-compliance with Clean Water Act requirements for municipal storm sewers, which has caused raw sewage to be discharged into the Bronx and Hutchinson rivers.

The Consent Decree requires Mount Vernon to perform sewer system repairs that Mount Vernon estimates will cost in excess of \$100 million.

U.S. Attorney Damian Williams said, "This important settlement provides a path



**Mount Vernon Mayor Shawyn Patterson-Howard** forward for the City of Mount Vernon to comply with the Clean Water Act, protect water quality, and address the needs of its residents who are living with the unlawful discharge of sewage and illicit pollut-

ants. My office remains committed to protecting human health and the environment in overburdened and underserved communities such as Mount Vernon, and beyond."

According to the allegations in the June 28, 2018 complaint, the Consent Decree filed on Sept. 19, and other court records:

In June 2018, the United States sued Mount Vernon, alleging that since at least January 2012, Mount Vernon had failed to comply with these permit obligations and, as a result, had allowed raw sewage to flow into its storm sewer system and then to be discharged into the Hutchinson and Bronx Rivers. The complaint also alleged that Mount Vernon had failed to comply with two EPA Adminis-

trative Orders issued to compel Mount Vernon's adherence to these requirements. New York State joined the United States as co-plaintiff in this lawsuit.

In September 2020, the District Court granted the governments' motion for summary judgment and entered an order requiring Mount Vernon to take various steps to come into compliance with Clean Water Act MS4 requirements. However, after the court order was entered, Mount Vernon repeatedly missed deadlines and reporting obligations, forcing the governments to obtain multiple subsequent court orders compelling compliance and imposing financial sanctions against Mount Vernon.

Despite this need for enforcement efforts, as reflected in the Consent Decree, Mount Vernon has made progress on its compliance obligations. Much work, however, remains

to be done. New York State has provided or committed to provide significant financial assistance to Mount Vernon to fund repairs to the City's sewers.

Among other requirements, the Consent Decree provides the following:

- Mount Vernon must construct two pump stations designed to eliminate identified sources of potential infiltration to the MS4.
- Mount Vernon must either eliminate all other sources of illicit discharges within 30 days of identifying them or submit a binding plan for EPA's and New York State's approval for addressing specific sources that require a longer period to eliminate.
- Immediately upon identifying sanitary sewer overflows that could cause illicit discharges into the MS4, Mount Vernon must take steps to mitigate those overflows.

- Mount Vernon must complete a Sewer System Evaluation Survey and submit for EPA's and New York State's approval a Sewer System Corrective Action Plan "that addresses structural, operational, and maintenance issues for each of the conditions identified in the Sewer System Evaluation Survey." The SSCAP will be binding and enforceable under the Consent Decree.

- Mount Vernon must implement its updated Stormwater Management Program Plan for its MS4 and its Capacity, Management, Operation, and Maintenance program for its sanitary sewers.

- Mount Vernon must keep its mapping of sewer system outfalls current.

- Mount Vernon must continue to engage engineering and financial experts to help manage its sewer system compliance.

- Mount Vernon must undertake transparency and environmental justice measures, including by "evaluating any potential adverse impacts of construction, repairs, and other actions undertaken pursuant to [the Consent Decree] on overburdened and underserved populations" and "mitigating any such potential adverse impacts of construction, repairs, and other actions . . . to the maximum extent possible consistent with such work."

- The Consent Decree also provides for a \$200,000 civil penalty to resolve the governments' claims for civil penalties for the violations alleged in the complaint. Of that, \$100,000 will be paid to the United States. \$100,000 will be owed to New York State with payment suspended unless Mount Vernon fails to comply with the Consent Decree.

In the Consent Decree, Mount Vernon also admits, acknowledges, and accepts

**Please turn to page 13**



## Some Things Change. Some Don't.

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**GREG LALEEVE**  
Business Manager  
IUOE Local 825



# New York Building Congress Launches New 'Infrastructure Action Council'

NEW YORK—The New York Building Congress has launched the Infrastructure Action Council (IAC), a group of building industry leaders driving infrastructure advocacy efforts at the state and federal levels.

The 12-charter member Infrastructure Action Council will work to ensure federal funding under the historic Infrastructure Investment and Jobs Act (IIJA) is expedited to critical infrastructure projects in New York and around the nation, the Building Congress

announced recently.

"More than a year and a half since President Biden's signing of the historic \$1.2 trillion Infrastructure Investment and Jobs Act, we're still sitting on billions of unspent federal dollars that we can use to improve the lives of millions of Americans," said Carlo A. Scissura, Esq., president and CEO of the New York Building Congress. "The Infrastructure Action Council unites leading voices in our nation's building industry to advance our ongoing efforts to fund transformative

projects across the state. This group's commitment to returning the U.S. to the vanguard of infrastructure innovation is inspirational. Trust me when I say the IAC is ready to get to work."

The charter members of the Infrastructure Action Council are: AECOM, Batska Consulting Group, BRAVO Group, General Contractors Association of New York, Inc., Global Infrastructure Solutions Inc., Halmar International LLC, Langan, Syska Hennessy Group, STV Inc., Suffolk, Thornton

Tomasetti and WSP USA

Members of the IAC, led by the Building Congress, will meet with state and federal leaders in Albany and Washington, D.C. to promote critical legislation to facilitate:

- The allocation of IIJA funding and get shovels in the ground;
- Streamline projects by expediting environmental reviews, the permitting processes and overall project approvals;
- The release of IIJA funds by federal agencies;
- Increasing infrastructure

funding support for the MTA, Port Authority and other agency capital programs;

- Expanding IIJA education and outreach opportunities to equip entities with the knowledge and resources needed to determine funding eligibility and submit applications;
- Create a new state program to incentivize the creation of affordable housing units;
- Removing barriers to entry into the workforce;
- Ensuring that our industry is equipped to deliver on these projects.

## Mount Vernon Agrees to Spend

Continued from page 12  
responsibility for a host of regulatory deficiencies, including:

- Since at least 2013, Mount Vernon has not been in compliance with the permit applicable to its MS4 because it has not fully implemented and enforced an Illicit Discharge Detection and Elimination Program.

- Mount Vernon has not provided funding, equipment, and staffing levels necessary to implement and enforce an Illicit Discharge Detection and Elimination Program.

- Mount Vernon did not complete an outfall reconnaissance inventory for all MS4 outfalls until 2022.

- Mount Vernon submitted annual reports later than the deadlines in June 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022.

- Mount Vernon did not submit accurate information in its 2017 and 2018 Annual Reports regarding its completions of the Outfall Reconnaissance Inventory.

Moreover, at least up to and including the time the complaint was filed, Mount Vernon also failed to meet the following permit requirements:

- Mount Vernon did not maintain a map showing all outfall locations, all surface waters receiving outfall discharges, and all storm sewer sheds.

- Mount Vernon did not adopt measurable goals for the detection, elimination and reduction of illicit discharges.

- Mount Vernon did not adequately inform the public about the hazards of illegal discharges.

- Mount Vernon did not select and implement measures to reduce the amount of pollutants of concern in storm water discharges.

- The Mount Vernon MS4 has discharged and at times continues to discharge untreated sewage into the Bronx and Hutchinson rivers.

- Mount Vernon did not comply with two administrative orders issued by EPA to compel Mount Vernon's compliance with the General Permit and the Clean Water Act.



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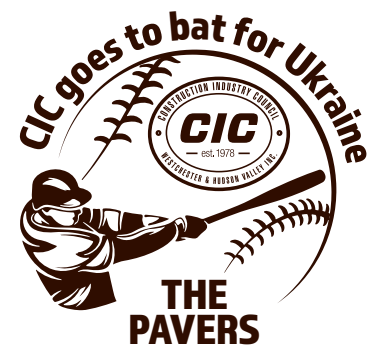
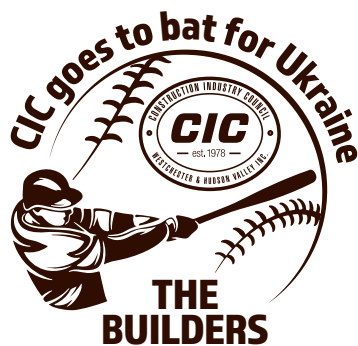
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Sponsorships and Donations will be turned over to St. Michael's Ukrainian Catholic Church. Proceeds benefit the Ukrainian Relief Fund.

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## Safety Watch

# Companies Engaging in Excavation Work Must Follow Safety Regs to Avoid Cave-Ins, Trench Collapses

By COSTAS CYPRUS, ESQ.

As is well documented and reported, a cave-in or trench collapse can lead to serious injuries and even death. The recent decision in *Secretary of Labor v. Texas Underground Utilities, Inc.* is instructive, and should again remind construction companies engaged in excavation of the necessary steps they must take to properly protect their workers during trenching activities, even if no one was injured in the underlying matter.

On Oct. 6, 2020, OSHA Safety Officer Keith Thomkins (alternatively referred to as “CSHO”) was driving past a construction site in Houston, TX, and observed two workers inside a trench. He pulled over, presented his credentials and then proceeded to have an opening conference with Juan Diaz, Texas Underground Utilities Inc.’s foreman at the site. The CSHO took measurements and photographs and conducted employee interviews. It appears that work had started at the site less than an hour before his arrival, and was still in progress. Mr. Diaz advised the CSHO that the workers had been in the trench for five to 10 minutes before the officer had arrived, although the officer believed they might have been there longer based on his observations of tools and activities. The length of the trench was 25 feet, and the



of the bench (floor to shelf) at 4-1/2 feet to 5 feet high, depending on where the measurements were taken along the trench. The top of the first wall of the bench, was a shelf that measured two feet wide. The second wall of the wall of the bench (from shelf to the surface) measured two feet high. Officer Thompkins based some measurements on representations made by Foreman Diaz because he could not safely access the trench floor, as well as approximations since the trench walls and soil conditions varied.

Following the measurements, Officer Thomkins interviewed foreman Diaz without an interpreter, and compiled information in a form, which Mr. Diaz signed. Specifically, Mr. Diaz, had trenching and excavation training (but not with TUU in his 40 years in the industry). He did not know

incident where a trench that was slightly over nine feet deep with previously disturbed Class B soil and one of the walls was improperly benched and the slope on both walls were steeper than the requisite 45 degrees exposing workers to a “crushed-by hazard”).

Following his investigation, the CSHO issued various citations to TUU included failing to protect employees working in a trench from cave-ins, in violation of OSHA regulations and classified this citation as a repeat offense since the 2017 incident had also involved an improperly sloped trench.

TUU took issue with the applicable standard based on the CSHO’s measurements. The cited regulation sets forth that each employee in an excavation be protected from cave-ins unless the excavation is made entirely of stable rock, or the excavation is less than five feet in depth and examination of the ground by a competent person provides no indication of a potential cave-in. Both parties agreed that the soil type was Type B, but disagreed as to whether the trench was

five feet deep. The deepest part of the trench measured seven feet and the CSHO took

been backfilled and no other TUU employees had taken measurements.

Furthermore, foreman Diaz had not objected to the CSHO’s measurements as they were being taken. Therefore, the Administrative Law Judge found that this OSHA standard applied, and accepted Officer Thomkins’ photographs and measurements as credible as per his testimony on the methodology, and, especially since TUU could not offer any evidence that called these measurements into question with their own independent measurements or dimensions. Under either a multiple bench system or single bench system, the first bench wall could not be more

than four feet in height. In a single bench system, the first shelf must be equal to the height of the bench for a 1:1 ratio. In a multiple bench system, the first shelf wall must double the height of the bench and every other shelf would have a height and width equal to the first shelf wall to create a 1:1 ratio.

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**Following his investigation, the CSHO issued various citations to TUU included failing to protect employees working in a trench from cave-ins, in violation of OSHA regulations and classified this citation as a repeat offense since the 2017 incident had also involved an improperly sloped trench.**

photographs of his measuring tool showing that depth. TUU explained that this was an impossibility and the measuring device fell into a depression on the trench floor. However, TUU presented no evidence disputing the height measurement, and when TUU’s owner, Julio Lugo, went to the site the following day, it had already

**Even if workers were not injured, they were exposed to the hazards based on the evidence of the ladder and tools near the seven-foot wall, which could have exposed them to the cave-in hazard when entering/existing the trench even during that brief five-to-10-minute period that foreman Diaz admitted they were present.**

width of the trench floor was three feet, while the width of the trench opening was 10 feet, 3 inches. A ladder rested along the trench wall on the west end at an angle of about 75 degrees. The wall on the western end of the trench measured seven feet deep, while other sections of the trench measured 4 S to 5 feet in depth. The excavation at issue dug into a Type B soil (as per OSHA’s soil type classification) and TUU was utilizing a bench cut into the trench walls (which allows for sloping of the trench walls to avoid collapsing soil).

Pursuant to the OSHA’s standards, Type B soil should be benched or sloped to 45 degrees. Here, Officer Thompkins measured the first wall

whether other employees had received training. A bench system was being used because the trench was not deep enough for a trench box. Two individuals were working in the trench for about 10 minutes before the CSHO arrived. During the trial, Mr. Diaz confirmed these statements and further indicated that he was charged with ensuring worker safety. On the following day, Officer Thomkins requested all training documentation and certifications, but TUU never responded. During Officer Thomkins’ investigation he also found that TUU had been previously cited by OSHA for failure to provide adequate protection from cave-ins during excavation from a 2017



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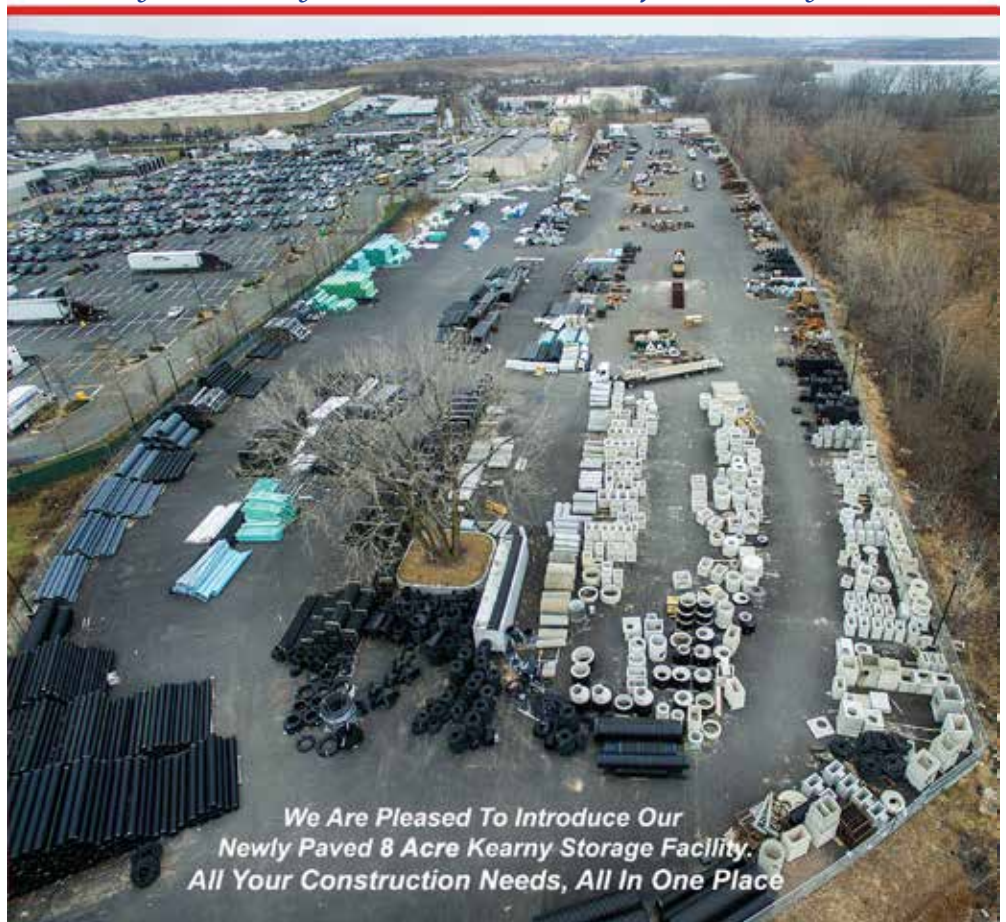
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## Revenue to Support \$470M in Capital Projects

# Thruway Board Approves Toll Hikes for 2024

ALBANY—The New York State Thruway Authority Board of Directors approved on Sept. 18 toll increases on the New York State Thruway system following a 10-month long public process. The new rates take effect on Jan. 1, 2024.

The action involves the first NY E-ZPass System-wide toll adjustment in 14 years. Thru-

way tolls statewide remain frozen system-wide through 2023.

Similar adjustments will be made to all rates system-wide (Gov. Mario M. Cuomo Bridge and other fixed rate tolling points) and for the Non-NY E-ZPass and Tolls by Mail commercial rates as well. This change results in toll rates that are comparable with what other cashless tolling facilities

across the nation. Beginning on Jan. 1, 2024, the fixed toll rate at the Gov. Mario M. Cuomo Bridge (GMMCB) for NY E-ZPass customers will increase by \$0.50 each year through 2027. In 2027, the base NY E-ZPass rate for passenger vehicles will be \$7.75. Commercial toll rate increases will be proportionate to the passenger rate increases, the Thruway Authority stated.

### Increases for the Gov. Mario M. Cuomo Bridge

In addition, the plan preserves the 40% commuter discount plan and increases the resident discount from 17% to 20% for qualified Rockland and Westchester residents on the GMMCB. In 2021, more than 30% of all tolls collected on the GMMCB were discounted through commuter and resident plans.

Thruway Authority Acting Executive Director Frank G. Hoare said the Thruway has some of the lowest toll rates in the country. It was noted that the Thruway Authority receives no dedicated federal, state or local tax dollars and relies primarily on toll dollars to maintain and operate the Thruway, characterized as one of the safest and reliable toll roads in the country.

The Thruway Authority, supported by analysis from its independent traffic engineering consultant, determined that there are additional revenues required for the Authority to fulfill its system-wide operating, debt service, and capital needs through the



Beginning on Jan. 1, 2024, the fixed toll rate at the Gov. Mario M. Cuomo Bridge for NY E-ZPass customers will increase by \$0.50 each year through 2027.

way tolls statewide remain frozen system-wide through 2023.

Beginning on Jan. 1, 2024, the base NY E-ZPass rate will increase by 5% outside of the Gov. Mario M. Cuomo Bridge, representing the first toll adjustment for these customers since 2010. A second 5% increase will take effect in January 2027. Standard toll rates for Non-NY E-ZPass (currently 5.1 cents per mile for passenger cars) and Tolls by Mail rates (currently 5.8 cents per mile for passenger cars) will increase to 8.6 cents per mile for both groups by 2027. These rates will remain below the current standard rates of many other systems

charge nationwide, Thruway Authority officials stated. Under the plan, the differential will not be applied to NY E-ZPass customers, making it the most affordable payment option available to all of our motorists who sign up for a tag (thruway.ny.gov/getezpass).

NY E-ZPass customers are the most frequent users of the Thruway and receive the steepest discounts and highest level of convenience for payment. Non-NY E-ZPass and Tolls by Mail customers pay a differential and are much more infrequent users of the system. The differential covers additional processing costs and incentivizes customers to get

GOVERNOR MARIO M. CUOMO BRIDGE TOLL RATE ADJUSTMENTS	
Toll Modification Element	Description
Gov. Mario M. Cuomo Bridge (GMMCB): Increase Base NY E-ZPass to a rate of \$7.75 by 2027	Beginning on January 1, 2024, provide \$0.50 annual increases to the base NY E-ZPass passenger toll rates on the GMMCB during the period 2024-2027. This would result in a base NY E-ZPass rate for passenger vehicles increasing to \$7.75 by 2027 (current rate is \$5.75). Commercial rate increases would be proportionate to the passenger rate increases.
40 Percent Commuter Discount Program*	Maintain the commuter discount rate of 40 percent off the NY E-ZPass rate for passenger vehicles that opt into the program. Similar to today, the rates assume that a minimum of 20 trips are made in that month; if fewer than 20 trips are taken per month, customers are charged for each trip not taken. This program is only offered to class 2L vehicles with a NY E-ZPass.
Resident Discount Program*	Increase the resident discount E-ZPass Plan for qualified Westchester and Rockland residents from its current 17 percent discount to a 20 percent discount off the NY E-ZPass rate. This program is only offered to class 2L passenger vehicles with a NY E-ZPass who opt into the plan and provide proof of residency.
SYSTEM-WIDE TOLL RATE ADJUSTMENTS	
Incentivize NY E-ZPass Usage	Beginning on January 1, 2024, increase the current 30 percent Tolls by Mail rate differential (a toll rate 30 percent above the NY E-ZPass rate) to a 75 percent differential. The differential will not be applied to NY E-ZPass customers.
Non-NY E-ZPass Rates	Beginning on January 1, 2024, increase the current Non-NY E-ZPass toll rate differential from a 15 percent rate differential (a toll rate 15 percent above the NY E-ZPass rate) to a 75 percent differential. This differential will not be applied to NY E-ZPass customers.
NY E-ZPass Rates	On January 1, 2024 and January 1, 2027, increase the base NY E-ZPass rates by five percent from their prior levels.

### THRUWAY BOARD APPROVES TOLL HIKES FOR 2024

The average age of the Thruway's 815 bridges is 55 years old with 75% of those bridges more than 60 years old. While they are continually inspected and maintained for the safety of the traveling public, more than 85 of them have been identified for replacement within the next decade.

#### REVENUE TO SUPPORT \$470M IN CAPITAL PROJECTS

The New York State Thruway Authority Board of Directors approved on Sept. 18 toll increases on the New York State Thruway system following a 10-month long public process. The new rates take effect on Jan. 1, 2024. The action involves the first NY E-ZPass System-wide toll adjustment in 14 years. Thruway tolls statewide remain frozen system-wide through 2023.

Beginning on Jan. 1, 2024, the base NY E-ZPass rate will increase by 5% outside of the Gov. Mario M. Cuomo Bridge, representing the first toll adjustment for these customers since 2010. A second 5% increase will take effect in January 2027. Standard toll rates for Non-NY E-ZPass (currently 5.1 cents per mile for passenger cars) and Tolls by Mail rates (currently 5.8 cents per mile for passenger cars) will increase to 8.6 cents per mile for both groups by 2027. These rates will remain below the current standard rates of many other systems across the nation.

Similar adjustments will be made to all rates system-wide (Gov. Mario M. Cuomo Bridge and other fixed rate tolling points) and for the Non-NY E-ZPass and Tolls by Mail commercial rates as well. This change results in toll rates that are comparable with what other cashless tolling facilities charge nationwide, Thruway Authority officials stated. Under the plan, the differential will not be applied to NY E-ZPass customers, making it the most affordable payment option available to all of our motorists who sign up for a tag (thruway.ny.gov/getezpass).

#### INCREASES FOR THE GOV. MARIO M. CUOMO BRIDGE

Beginning on Jan. 1, 2024, the fixed toll rate at the Gov. Mario M. Cuomo Bridge (GMMCB) for NY E-ZPass customers will increase by \$0.50 each year through 2027. In 2027, the base NY E-ZPass rate for passenger vehicles will be \$7.75. Commercial toll rate increases will be proportionate to the passenger rate increases, the Thruway Authority stated.

In addition, the plan preserves the 40% commuter discount plan and increases the resident discount from 17% to 20% for qualified Rockland and Westchester residents on the GMMCB. In 2021, more than 30% of all tolls collected on the GMMCB were discounted through commuter and resident plans.

There are \$470 million in capital project needs that are currently not supported by the resources available for the existing 2022-2026 Capital Program. Eighty-five percent of the Thruway's roadway base dates back to its original construction in the 1950s, highlighting the need for heavy maintenance, reconstruction, and rehabilitation activities to keep the riding surface in a state of good repair.

The need to replace bridges grows exponentially after the 10-year timeline when hundreds of bridges will need to be replaced in the following decade. To highlight the magnitude of the problem, the projected replacement cost for the most immediate 85 bridges needing replacement is roughly \$800 million in today's dollars. Factoring the hundreds of bridges that will require replacement not long thereafter, the costs escalate into the \$6 - \$7 billion range.

For More Information visit thruway.ny.gov



upcoming forecast period.

There are \$470 million in capital project needs that are currently not supported by the resources available for the existing 2022-2026 Capital Program. Eighty-five percent of the Thruway's roadway base dates back to its original construction in the 1950s, highlighting the need for heavy maintenance, reconstruction, and rehabilitation activities to keep the riding surface in a state of good repair.

The average age of the Thruway's 815 bridges is 55 years old with 75% of those bridges more than 60 years old. While they are continually inspected and maintained for the safety of the traveling public, more than 85 of them have been identified for replacement within the next decade. The need to replace bridges grows exponentially after the 10-year timeline when hundreds of bridges will need to be replaced in the following decade. To highlight the magnitude of

the problem, the projected replacement cost for the most immediate 85 bridges needing replacement is roughly \$800 million in today's dollars. Factoring the hundreds of bridges that will require replacement not long thereafter, the costs escalate into the \$6 billion - \$7 billion range.

The Thruway Authority Board vote marked the end of a public toll adjustment process that began in December 2022. The process included five public hearings in 2023, receipt and consideration of 210 public comments, completion of the Environmental Assessment for the proposed toll modification, as well as the completion of all of the necessary actions required by the Public Authorities Law, the State Administrative Procedure Act and the State Environmental Quality Review Act.

Motorists can view what the adjusted toll rates will be on the 2024 Toll Adjustment Calculator on the Thruway Authority's website.



# An Emergency Preparedness Plan ‘May Have Saved This Man’s Life’

TARRYTOWN, NY—For contractors, most Mondays begin with the usual routine of managing planned work assignments with enough latitude built in to handle the curveballs that projects inevitably throw at them. But what happens when a totally unexpected event like an early morning heart attack on the jobsite is the way you begin the day?

Such was the case on Monday at 10 am when EMTs and the local police responded to an emergency call on a roadway construction site where a worker was stricken.

Quick thinking and safety awareness on the job saved critical minutes in getting the man to the nearest hospital four miles away.

In more than four decades of working in his family-owned business, one CIC contractor said he can’t recall facing such an emergency so early in the morning. It was a shocker, he said, an immediate call for heightened powers of critical thinking and lightning-fast judgment,

he explained. “I felt like time was standing still.”

Shaking his head in amazement, he added, “All those safety courses we take

*“The last thing the EMS driver said to me as he drove away was, ‘You may have saved this man’s life today.’”*

through the CIC every January might have saved a man’s life today. We had all the information we needed at our fingertips—emergency numbers and contacts, his family information, medical personnel to call. We had a really great plan.”

Wishing to remain anonymous, the contractor explained that the annual safety seminars the CIC presents in association with NYSDOT each January, definitely prepared his company—from office per-

sonnel to the crew leaders at each of their jobsites—in how to manage an emergency like this cardio attack incident and what actions were needed.

“We followed everything we’ve been told to do, right down to knowing the exact coordinates where the ambulance had to go on the jobsite,” he said, still emotionally wracked by the emergency, his voice quivering. “The last thing the EMS driver said to me as he drove away was, ‘You may have saved this man’s life today.’”

There are 10,000 cardiac arrests every year in workplaces in the U.S., according to the American Heart Association. The agency noted that if these workers receive immediate defibrillation, “the survival rate can be as high as 60%. If they don’t, the survival rate is as low as five to seven percent.”

Therefore, the minutes after a cardiac arrest are critical. “Cardiopulmonary resuscitation, or CPR, or an automated external defibrillator, or AED, can greatly

increase the chance of survival. However, the American Heart Association notes, only half of workers on a project site know where an AED is located.”

Also, the likelihood of suffering a heart attack on a jobsite is 13% higher on Mondays as compared with other days of the week, according to studies. Scientists have found a strong statistical correlation between the start of the working week and incidents of STEMI, with the most likely timing of a cardiovascular event occurring in the early morning between 6 a.m. and 10 a.m.

These and other takeaways of this incident are likely to become part of discussions at the CIC/NYS DOT Safety Seminar, which is scheduled for Tues., Jan. 16, 2024 at the Culinary Institute of America.

Registration will begin in November. You should save the date now.

(Epilogue: That same morning, the Laborer underwent an emergency double bypass with two stents installed. He was eating Jell-O by 1:00 pm that afternoon.)

## Safety Watch

Continued from page 14

All sides of a trench have to be properly sloped or benched 1:1 or 45 degrees. Here, the height of the first bench wall was between 4-1/2 feet and 5.0 feet while the standard requires the first bench wall to be no more than 4.0 feet. The standard also required the bench shelf to be four feet in width (for a single bench) or eight feet (for multiple benches), while here, the bench shelf measured between two and three feet. Under either single or multiple bench systems, TUU was not in compliance as the trench was improperly sloped. Therefore, TUU was found to have violated the standard.

Even if workers were not injured, they were exposed to the hazards based on the evidence of the ladder and tools near the seven-foot wall, which could have exposed them to the cave-in hazard when entering or exiting the trench even during that brief five-to-10-minute period that foreman Diaz admitted they were present. Foreman Diaz was aware that the trench was dug into Type B soil, and he could have known with reasonable diligence that portions of the trench exceeded five feet in depth, and the benching system did not meet the standard’s requirements. Given that the same standard had been previously violated in 2017, the ALJ found that this violation was a repeat offense and assessed a penalty of \$20,781 for this repeat-serious citation.

About the author: Costas Cyprus is an associate attorney practicing construction law and commercial litigation with Welby, Brady & Greenblatt, LLP, in White Plains, NY. He can be reached at 914-428-2100 and at ccyprus@wbglp.com. The articles in this series do not constitute legal advice and are intended for general guidance only.

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## Financial Management

# Rising Cost of Money's Impact on Construction: How the Sector is Managing Interest-Rate Pressures

By PHILLIP ROSS, CPA, CGMA, PARTNER

In late July 2023, the Federal Reserve raised interest rates again by a quarter of a percentage point to 5.5%, reaching its highest level in 22 years. In a fight to counter persistent inflation, borrowing rates have become significantly more expensive since the program began in March of 2022, which has had no small impact on the cost of financing in construction lending. The stated intention was to decrease the overall demand for goods, services and labor in the economy to fight rising prices.

However, increased borrowing costs have adversely affected numerous industries, including construction, that enjoyed an unusual decade of lower interest rates. As costs have increased, the American Institute of Architects estimated earlier this year that nonresidential construction spending is expected to slow to a growth rate of 5.8% in 2023 (down from 10% in 2022) and



### A Major Question Now is Where Do We Go from Here?

There is light at the end of the tunnel. According to S&P Global, nonresidential and residential construction loans at U.S. banks rose alongside delinquencies in the first quarter of 2023 from the previous quarter. Despite increased borrowing costs, construction loans also grew as a percentage of gross loans and leases, reaching 3.93% in the first quarter, marking the highest percentage

construction firms they know and where a relationship and history have been established.

### Looking Ahead

New York is looking toward new horizons that will benefit construction firms. New York City Mayor Eric Adams announced plans to rezone manufacturing areas south of Times Square and allow more office buildings to be converted to housing with hopes that new housing development will help ease the shortage of housing supply in the city. The plan aims to create 20,000 new homes to accommodate 40,000 New Yorkers over the next 10 years. The rezoning will center on midtown south covering 42 blocks between 23<sup>rd</sup> and 40<sup>th</sup> streets and Fifth and Eighth avenues. Ultimately, the plan is to create a more diverse geographic space with increased housing that includes affordable apartments as well as retaining office space.

The New York City Department of Design and Construction has also prepared to continue with its original blueprint to increase the capital project plan laid out several years ago in 2019. The plan aims to expedite how the city budgets, procures, and permits capital

*While tighter lending standards stemming from problems at regional banks have made it even more challenging for construction firms to secure or extend lines-of-credit loans, banks are lending to those construction firms they know and where a relationship and history have been established.*

projects to reduce onerous and lengthy wait times to complete delivery plans.

Infrastructure spending is also hopeful—one example is the long-awaited Gateway Tunnel project that will build a second rail tunnel beneath the Hudson River between New Jersey and New York City. To date, the project is set to receive \$6.9 billion. Other significant infrastructure proposals and projects, such as the recently announced \$631-million flood wall in lower Manhattan and additional spending, all point to New York being replete with critical infrastructure needs that will always bode well for

a strong construction industry.

New York is always building—with multiple new infrastructure and other projects on the horizon, construction firms are finding ways to overcome unprecedented economic times. Once again, the city that never stops building will continue to rise and meet the new challenges that lie ahead.

*About the author: Phillip Ross, CPA, CGMA is an Accounting and Audit Partner and Chair of the Construction Industry Group at Anchin, Block & Anchin, LLP. For more construction industry thought leadership and content, log on to [www.anchin.com](http://www.anchin.com).*

*The New York City Department of Design and Construction has also prepared to continue with its original blueprint to increase the capital project plan laid out several years ago in 2019. The plan aims to expedite how the city budgets, procures, and permits capital projects to reduce onerous and lengthy wait times to complete delivery plans.*

then fall to a mere 1% growth rate in 2024.

Economic experts, in some cases, insist inflation is still running too high even though recession seems less imminent now. Core inflation, for example, excluding the price of gas, food, and shelter, has remained at a 4% annual increase since the beginning of 2021. We are witnessing a new floor in pricing and it remains to be seen what the longer-term impact will be in construction as increased materials costs are palpable industry-wide.

in at least eight years.

We also see optimism for construction activity in terms of the demand for labor. A leading trade association of employers predicts that the construction industry will need to attract more than 500,000 extra workers in 2023 in addition to the normal pace of hiring.

While tighter lending standards stemming from problems at regional banks have made it even more challenging for construction firms to secure or extend lines-of-credit-loans, banks are lending to those

## Run in good company.

The Construction Industry Council represents over 500 contractors, material and equipment suppliers, specialty and service firms who compete in the region's \$1.5 billion marketplace. From roads and bridges to utility, waste and water treatment systems, CIC-member companies and affiliated unions are dedicated to building and improving these public and private services. To make your company more successful in the construction industry, maybe it's time you run with us.

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## **NYS DOT Region 8 Lettings on Track With Significant Paving, Traffic Signal Projects**

Continued from page 1

on the Environmental Review and the scope of the overall Route 17 expansion project in the fall of 2025.

“The plan is—once we have a Record of Decision with the EIS—to move forward with three design-build projects hopefully immediately thereafter,” Mr. Kruk said at the public hearing held at Wallkill Town Hall.

Work on those three projects would likely commence in either late 2025 or early 2026, coinciding with the conclusion of work on the second phase of the Exit 122 job. He said the project worth for each of those three projects could be anywhere from \$250 million to \$300 million each.

Here is the list of road/bridge projects to be let for the remainder of 2023 and early 2024 for Region 8 that were included in NYS DOT’s “Green Book.”

### ***Lettings Scheduled For Remainder of 2023***

#### **Route 35 Paving: Route 22 To Bouton Road**

Project ID No. 881650

Description: This project will correct pavement deficiencies found on State Route 35 from Route 22 to Bouton Road in the Town of Lewisboro in Westchester County. The work will primarily consist of milling the existing pavement and resurfacing the roadway with a warm-mix asphalt overlay to the road surface to extend its service life and improve the quality and safety of the pavement. Additionally, general drainage and signal improvements will be made where practicable within the scope of this maintenance paving project. Project Status: The Bid Opening is expected to be in the Winter of 2023. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Fall 2024.

**Cost of the Project: Approximately \$4,150,000**

#### **Highway Where & When**

Project ID No. 881419

Description: This project will consist of taking immediate action to repair and prevent future degradation of portions of state highways in the event of an emergency. The work will encompass various municipalities in the counties of Columbia, Dutchess, Ulster, Rockland, Orange, Putnam and Westchester.

Project Status: The Bid Opening is expected in September 2023. Construction is expected to begin in Fall 2023. Construction is expected to be completed in Fall 2025.

**Cost of the Project: Approximately \$6,500,000**

#### **Guiderail Replacements Interstate 84: Western Orange County**

Project ID No. 881482

Description: This project will replace damaged or non-functional guiderail along Interstate 84 between Route 208 and Ohaire Road to improve the safety of the travelling public. The work will take place in the Towns of Montgomery and Wallkill in western Orange County.

Project Status: The Bid Opening is expected in September 2023. Construction is expected to begin in Fall 2023. Construction is expected to be completed in Fall 2024.

**Cost of the Project: Approximately \$1,700,000**

#### **Guiderail JOC: Dutchess, Orange, Putnam, Rockland And Westchester Counties**

Project ID No. 881659

Description: This project consists of performing emergency repairs, removal and installation of guiderails that have been damaged by vehicles, weather events or by other means. The work will focus on the region’s parkways and interstates in Dutchess, Orange, Putnam, Rockland and Westchester counties.

Project Status: The Bid Opening is expected in September 2023. Construction is expected to begin in Fall 2023. Construction is expected to be completed in Fall 2024.

**Cost of the Project: Approximately \$750,000**

#### **Route 128 Repaving: Route 22 To School Street**

Project ID No. 803403

Description: The pavement surface of this segment of Route 128 shows alligator cracking, heaving, and a rough riding surface. The proposed treatment will correct pavement wear by milling off the existing pavement to a depth of 1.5 inches and filling with the same depth of top course asphalt overlay. In addition to pavement repairs, drainage basins will be repaired and reset to proper height as needed. Curb ramps, where present, will be assessed and if needed brought up to current Americans with Disability Act standards. In locations of traffic signals, traffic signal inductance

loops damaged by milling will be replaced as required. New pavement markings will be installed as needed. This project is taking place in the Town of North Castle in Westchester County.

Project Status: The Bid Opening is expected in October 2023. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Fall 2024.

**Cost of the Project: Approximately \$1,600,000**

#### **Bridge Painting**

Project ID No. 881485

Description: This project will consist of painting steel surfaces on bridges to protect against normal environmental effects of corrosion, acid rain, and deicing agents. The work will encompass various municipalities in the counties of Columbia, Dutchess, Orange, Ulster, and Westchester.

Project Status: The Bid Opening is expected in November 2023. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Fall 2025.

**Cost of the Project: Approximately \$5,500,000**

#### **Rustic Rail Replacements: Westchester County**

Project ID No. 881529

Description: This project will replace selected segments of the “rustic,” self-oxidizing metal, guiderail on federal aid eligible state highways in various municipalities throughout Westchester County. The rustic guiderail is showing signs of extensive deterioration and will be replaced with galvanized guide rail to continue to provide the traveling public the intended safety benefits that guiderail provides.

Project Status: The Bid Opening is expected in November 2023. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Winter 2024/2025.

**Cost of the Project: Approximately \$21,000,000**

#### **Signal Requirements Regionwide**

Project ID No. 881471

Description: This project will consist of upgrading or installing new traffic signals as needed. The work will address various intersections in multiple municipalities in the counties of Columbia, Dutchess, Ulster, Rockland, Orange, Putnam and Westchester. Curb ramps, sidewalks, pavement markings and guide rail may be installed, replaced or upgraded, as necessary.

Project Status: The Bid Opening is expected to be in November 2023. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Spring 2024.

**Cost of the Project: Approximately \$1,000,000**

#### **Biennial Special Markings: Columbia, Dutchess, Ulster And Rockland Counties**

Project ID No. 881479

Description: This project will consist of applying epoxy and preformed pavement markings on state highways. This work will improve traffic safety by ensuring that the markings maintain their proper delineation and reflectivity properties. This work will take place in various municipalities in the counties of Columbia, Dutchess, Ulster, and Rockland counties.

Project Status: The Bid Opening is expected to be in November 2023. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Fall 2026.

**Cost of the Project: Approximately \$4,650,000**

#### **Biennial Long Lines; Regionwide**

Project ID No. 881481

Description: This project consists of applying epoxy and preformed pavement markings on state highways. This work involves various municipalities in the counties of Columbia, Dutchess, Ulster, Rockland, Orange, Putnam and Westchester.

Project Status: The Bid Opening is expected to be in November 2023. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Fall 2026.

**Cost of the Project: Approximately \$12,000,000**

#### **Route 22 Resurfacing in Dutchess and Putnam**

Project ID No. 813131

Description: This project will resurface segments of Route 22 from north of the Interstate 84/684 interchange to Route 55 in Dutchess and Putnam counties. Route 22 is identified as a part of the NYS Freight Core Highway Network from Route 55 in Dutchess County to I-84 in Putnam County along the east side of the Hudson Valley Region. This corridor provides freight connection between the urban area of Poughkeepsie and the State of Connecticut via I-84 Eastbound and

Westchester County via I-684. Trucks account for 8% of the average annual daily traffic within the corridor. The work will take place in the Towns of Southeast, Pawling and Patterson and the Village of Brewster.

Project Status: The Bid Opening is expected to be in December 2023. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Summer 2024.

**Cost of the Project: Approximately \$14,000,000**

#### **Biennial Graffiti Removal**

Project ID No. 881440

Description: This project will remove graffiti from noise barriers, retaining walls, and bridges on state highways in Columbia, Dutchess, Orange, Putnam, Rockland, Ulster, and Westchester counties.

Project Status: The Bid Opening is expected to be in December 2023. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Winter 2025/2026.

**Cost of the Project: Approximately \$300,000**

### ***Lettings Scheduled For Early 2024***

#### **Bridge MBC Interstate 84:**

#### **Dutchess, Orange, & Putnam Counties**

Project ID No. 806258

Description: This project will correct existing deficiencies and prevent further deterioration of bridge components on various bridges located on Interstate 84. The work will involve joint repair/reconstruction and seal replacement. Additional minor maintenance repairs may be needed at some of the locations. The work will take place in various municipalities throughout Dutchess, Orange, and Putnam counties.

Project Status: The Bid Opening is expected to be in January 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Winter 2024/2025.

**Cost of the Project: Approximately \$5,500,000**

#### **Biennial Geotechnical Subsurface Exploration**

Project ID No. 881500

Description: This project will explore subsurface soil conditions to provide data needed in advance of highway, bridge, and culvert design. This work will take place in various municipalities throughout the counties of Columbia, Dutchess, Ulster, Rockland, Orange, Putnam and Westchester.

Project Status: The Bid Opening is expected to be in January 2024. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Winter 2025/2026.

**Cost of the Project: Approximately \$1,250,000**

#### **Rustic Rail Replacements: Rockland County**

Project ID No. 881658

Description: This project will replace selected segments of the “rustic,” self-oxidizing metal, guiderail on federal aid eligible state highways in various municipalities throughout Rockland County. The rustic guiderail is showing signs of extensive deterioration and will be replaced with galvanized guide rail to continue to provide the traveling public the intended safety benefits that guiderail provides.

Project Status: The Bid Opening is expected to be in January 2024. Construction is expected to begin in Winter 2023/2024. Construction is expected to be completed in Winter 2024/2025.

**Cost of the Project: Approximately \$16,000,000**

#### **Route 45 Complete Streets Improvements**

Project ID No. 807419

Description: This project will improve transportation infrastructure to optimize the safety of pedestrian through new continuous sidewalks, ramps, and crosswalks along the Route 45 Corridor from Route 59 to West Eckerson Road in the Town of Ramapo, Village of Spring Valley. Traffic signals will be replaced to ensure all intersections are equipped with accessible pedestrian signal equipment and signal retiming will be investigated to improve vehicular and pedestrian safety.

Project Status: The Bid Opening is expected to be in January 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Winter 2025/2026.

**Cost of the Project: Approximately \$5,500,000**

#### **Bridge Rehab: TSP, Routes 52 & 304 - Orange, Rockland & West Counties**

Project ID No. 881370

Description: This project will undertake correc-

**Please turn to page 19**



# NYS DOT Region 8 Lettings on Track With Significant Paving, Traffic Signal Projects

Continued from page 18

tive and preventative maintenance actions to extend the service life of three bridges on state highways in Rockland, Orange, and Westchester counties. This project will rehabilitate the following three structures that carry NY Route 52 over Interstate 84 in the Town of Newburgh in Orange County, NY Route 304 over 87IX in the Town of Clarkstown in Rockland County, and Illington Road over the Taconic State Parkway (987G) in the Town of Yorktown in Westchester County.

Project Status: The Bid Opening is expected to be in January 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Fall 2025.

**Cost of the Project: Approximately \$15,000,000**

## Route 376 (Raymond Avenue)

### At Hooker Avenue Intersection Improvements

Project ID No. 839326

Description: This project will improve the existing signalized intersection of Raymond Avenue (State Route 376), New Hackensack Road (State Route 376), and Hooker Avenue (State Route 983T) in the Town of Poughkeepsie, Dutchess County. The project will improve air quality by mitigating congestion while also improving safety, overall intersection operations, streetscape, and roadway cross-sections.

Project Status: The Bid Opening is expected to be in February 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Spring 2025.

**Cost of the Project: Approximately \$6,500,000**

## Bridge Washing/Deck Sealing

Project ID No. 881366

Description: This project will consist of cleaning/washing bridges and sealing decks as needed. This work will remove debris from the bridges and protect them against corrosive substances in various municipalities in the counties of Columbia, Dutchess, Ulster, Rockland, Orange, Putnam and Westchester.

Project Status: The Bid Opening is expected to be in February 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Fall 2024.

**Cost of the Project: Approximately \$1,500,000**

## Bridge Washing/Deck Sealing

Project ID No. 881366

Description: This project will consist of cleaning/washing bridges and sealing decks as needed. This work will remove debris from the bridges and protect them against corrosive substances in various municipalities in the counties of Columbia, Dutchess, Ulster, Rockland, Orange, Putnam and Westchester.

Project Status: The Bid Opening is expected to be in February 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Fall 2024.

**Cost of the Project: Approximately \$1,500,000**

## Cross County Parkway Guide Sign Panel And Structure Replacement

Project ID No. 881476

Description: This project will replace or upgrade guide signs and overhead sign structures that have reached the end of their service life on the Cross County Parkway in the City of Yonkers, City of Mount Vernon, and Town of Eastchester in Westchester County.

Project Status: The Bid Opening is expected to be in February 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Winter 2025/2026.

**Cost of the Project: Approximately \$6,000,000**

## Biennial Mowing - Palisades Interstate Parkway/Route 6

Project ID No. 881496

Description: This project will consist of removing overgrown vegetation found adjacent to the parkway, litter within the Highway Right of Way and mowing along the Palisades Interstate Parkway, and a small connection section of Route 6, including exit and entrance ramps. The work will improve the highway safety and aesthetics in the Towns of Clarkstown, Haverstraw, Highlands, Orangetown, Ramapo, Stony Point, and Woodbury in Rockland and Orange counties.

Project Status: The Bid Opening is expected to be in February 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Fall 2025.

**Cost of the Project: Approximately \$750,000**

## Route 100 Resurfacing:

### Underhill Street to City of White Plains Line

Project ID No. 802253

Description: This project will correct existing pavement deficiencies on State Route 100, also known as Central Park Avenue, from Underhill Street in the City of Yonkers to the City of White Plains line in the Town of Greenburgh in Westchester County. The work will primarily consist of milling the existing pavement and resurfacing the roadway with a warm-mix asphalt overlay to extend its service life and improve the quality and safety of the pavement. Curb ramps, where present, will be assessed and if feasible be made compliant with current ADA guidelines.

Project Status: The Bid Opening is expected to be in February 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Fall 2024.

**Cost of the Project: Approximately \$8,000,000**

### US Route 6, Annsville Circle-Camp Smith: Flood Mitigation

Project ID No. 839209

Description: This project will improve the resiliency of the Annsville Circle by elevating the Annsville Circle and approaches in the Town of Cortlandt in Westchester County.

Project Status: The Bid Opening is expected to be in March 2024. Construction is expected to begin in Spring 2024. Construction is expected to be completed in Spring 2026.

**Cost of the Project: Approximately \$27,000,000**

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# Construction NEWS



## Westchester Medical Center Secures \$195M In Bond Financing for New Patient Care Tower

By JOHN JORDAN

WHITE PLAINS—Westchester County’s Local Development Corporation (LDC) voted on Aug. 23 final approval of \$195-million in tax-exempt bond financing for the development of a new 162,626-square-foot Patient Care Tower on the campus of Westchester Medical Center in Valhalla, NY.

The \$221.3-million Patient Care Tower project will feature a five-story, 128-bed structure with all of its inpatient rooms ICU-equipped and a patient-centric design with leading edge amenities that WMCH officials stated will create a soothing, healing environment. It will house vital services for WMCH patients and their families including trauma, neurosciences, cardiology and general surgery. The ground floor will feature conference space and the other four floors will each feature 32 beds.

“The LDC has a clear vision for the future of Westchester County, and we’re happy that



A rendering of the new Patient Care Tower to be built on the campus of Westchester Medical Center.

RENDERING COURTESY OF WMC HEALTH

vision includes projects such as the Patient Care Tower,” said Michael D. Israel, president and CEO of the Westchester Medical Center Health Network (WMCH).

He continued, “The Patient Care Tower on the Westches-

ter Medical Center campus will be the Hudson Valley’s hub of critical care medicine as it will bring together critical care and medical-surgical specialties in one location, enabling Westchester Medical Center to convert to all private

inpatient rooms across the rest of the campus. Additionally, the Patient Care Tower will advance our academic mission by giving medical residents and students a state-of-the-art facility in which to train.”

The LDC assists Westches-

ter non-profits in securing tax-exempt bond financing benefits. These benefits are provided at no cost or risk to the taxpayers of Westchester. Since its inception in 2012, LDC has assisted not-for-profit organizations in securing tax-exempt bond financing totaling more than \$500 million.

According to a cost benefit analysis prepared for the LDC, the project will provide Westchester County with total benefits of \$3,531,780 over 30 years. The total benefits are comprised of \$722,468 in sales tax revenue from construction; \$2,528,062 of sales tax revenue from operations over 30 years, and \$281,250 in fees to be collected by the LDC based on the bond proceeds.

The project is also estimated to create more than 770 construction jobs and 127 new full-time jobs. WMCH officials stated that site work has begun and that a groundbreaking will be held before year’s end. The project is expected to take two years to complete.

## Movie/TV Studio Campus at West Side’s Pier 94 Advances

By JOHN JORDAN

NEW YORK—The developers of the long-anticipated movie/television studio project at Pier 94 on Manhattan’s West Side say that construction is expected to begin this fall on the \$350-million, public-private partnership venture.

On Aug. 29, Vornado Realty Trust, Hudson Pacific Properties, Blackstone, the City of New York, and the New York City Economic Development Corporation announced they had entered into Manhattan’s first public-private partnership venture to build a purpose-built studio campus at Pier 94. The project to be built will be called “Sunset Pier 94 Studios.”

Vornado, who contributed its long-term leasehold with New York City for Pier 94 to the venture, will own 49.9%; Hudson Pacific will own 25.6%; and Blackstone’s institutional Core+ Real Estate strategy will own 24.5%. Vornado will be responsible for development and Hudson Pacific will provide design oversight and manage the facility’s leasing and operations.

Plans for the 266,000-square-foot Sunset Pier 94 Studios include six purpose-built soundstages with production control room facilities and 145,000 square feet of production support space and offices, with Hudson River views and on-site parking.

“With our administration’s leadership, New York City is back—we have recovered 99% of the jobs lost during the pandemic, and visitors from across the world are returning to Broadway and Times Square,” said New York City Mayor Eric Adams.

“Sunset Pier 94 Studios demonstrates a monumental public-private partnership that will have a lasting impact on our city by creating 400 film and TV jobs, more than 1,300 construction jobs, along with an estimated economic impact of \$6.4 billion over the next 30 years,” said New York City Economic Development Corporation (NYCEDC) President & CEO Andrew Kimball.

The new facility will be the first New York location for Hudson Pacific and Black-



Sunset Pier 94 Studios will be the first purpose-built studio campus in Manhattan.

stone’s growing studio platform and synergistic with its existing Los Angeles operations. With the addition of Sunset Pier 94 Studios, Sunset Studios will comprise 69 existing and planned stages globally across six purpose-built facilities, all in top-tier locations within the well-established and supply constrained production epicenters of Los Angeles, London and New

York. Sunset Studio’s planned Sunset Waltham Cross Studios is expected to open in 2026 with 21 sound stages. Hudson Pacific’s Quixote brand operates an additional 26 stages in Los Angeles and New Orleans and services productions in Los Angeles, New York, Atlanta, New Orleans and Albuquerque, NM.

The project represents a total investment of approximate-

ly \$350 million from Vornado, Hudson Pacific and Blackstone, and is expected to create more than 1,300 construction jobs, 400 permanent jobs and contribute \$6.4 billion to the local economy over the next 30 years. Construction will begin in the third quarter of this year. RBC is providing \$183 million in construction financing. The project is expected to be completed by year-end 2025.





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# Pfizer Division Renews, Expands Lease at Hudson Valley iCampus in Rockland

PEARL RIVER, NY—A division of pharmaceutical giant Pfizer Inc. has signed a lease renewal and expansion totaling more than 151,000 square feet of space at the Hudson Valley iCampus here in Rockland County.

The deal, announced Aug. 17 by the ownership of the Hudson Valley iCampus (Pfizer Global Supply Division), will house manufacturing, laboratory, warehouse and office functions in multiple buildings throughout the 207-acre campus. The site contains two-million square feet of development and has combined rent values in excess of \$16 million.

Jamie Schwartz, President

of Hudson Valley iCampus, represented ownership. Warren Bravermann, senior managing director of Cushman & Wakefield, represented Pfizer. Mr. Schwartz said that Pfizer Global Supply Division renewed 147,543 square feet and expanded by 3,522 square feet. In addition, Pfizer Vaccine Research and Development Division currently leases 109,652 square feet of lab and office space in multiple buildings on the campus.

Mr. Schwartz said “We are pleased that Pfizer PGS has committed to Hudson Valley iCampus. Their decision to expand and renew in multiple buildings throughout the campus is a real vote of confidence

in our hard work to create a high-level management team that provides best-in-class management services to our tenants, as well as ownership’s substantial capital investment into the property over the past two years.”

Pfizer announced last year it will invest \$470 million in Rockland to build a state-of-the-art laboratory and office building on a portion of the 23-acre parcel it owns for its Vaccine Research and Development Division. That parcel is contiguous to Hudson Valley iCampus and will be an expansion of the existing laboratory, office and meeting spaces that is currently located there.



Aerial view of the two-million-square-foot Hudson Valley iCampus in Pearl River, NY.

PHOTO CREDIT: HUDSON VALLEY iCAMPUS

The Hudson Valley iCampus is a two-million-square-foot, mixed-use, multi-tenanted property located at 401 North Middletown Road. The property is centrally located in the Hudson Valley, and has a long history of breakthrough vaccines developed, including vaccines for smallpox, typhoid and polio.

Hudson Valley iCampus is owned by Industrial Realty Group, LLC, which owns more than 100 million square feet in 31 states. The property is managed by IRG’s wholly owned affiliate, IRG Realty Advisors, LLC.

The complex was formerly owned by Pfizer, which sold the property to IRG in 2015.

# Gateway Development Awards Two Major Contracts

NEWARK, NJ—The Gateway Development Commission at its Board of Commissioners meeting on Sept. 11 approved first direct contract awards: two contracts for construction and construction management services on the Tonnelle Avenue Bridge and Utility Relocation Project.

This early work package of the Hudson Tunnel Project will be the first construction on the project in New Jersey and is expected to begin this

fall. Construction is also expected to begin this year in New York on the Hudson Yards Concrete Casing-Section 3.

Following a publicly advertised bidding process, Naik Consulting Group, P.C. of New York City will provide expert professional construction management and related technical services for the Tonnelle Avenue Bridge and Utility Relocation Project, while Conti Civil, LLC of Edison, NJ will

be responsible for construction of the project.

The Tonnelle Avenue Bridge and Utility Relocation Project involves the relocation of utilities and the construction of a new roadway bridge for Tonnelle Avenue in North Bergen, NJ. The new roadway bridge will be located immediately above a new future railroad right-of-way, which will allow for a connection to the new tunnel portal at the western slope of the New

Jersey Palisades. It will also provide construction access between the staging sites on either side of Tonnelle Avenue.

With the GDC Board’s action on the Tonnelle Avenue Bridge and Utility Relocation Project, five out of nine contemplated Hudson Tunnel Project packages will be in procurement or construction by October 2023.

“The Gateway Development Commission’s first contract awards mark yet another

pivotal milestone for the most important infrastructure project in the country,” said New Jersey Gov. Phil Murphy. “These awards signify, unequivocally, that Gateway is continuing to charge full-steam ahead, advancing far further than any of its predecessor projects abandoned by previous administrations. By breaking ground on the crucial Tonnelle Avenue project later this year, we

Please turn to page 30



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## WASHINGTON UPDATE

## Revised EPA Waters of the U.S. Rule Prompts Protest by Industry Groups

WASHINGTON—The American Road & Transportation Builders Association (ARTBA) and the National Association of Home Builders were among the first business organizations to protest the revised Waters of the United States (WOTUS) rule issued late last month by the U.S. Environmental Protection Agency and the U.S. Department of the Army.

The revised rule by the EPA was in response to a ruling handed down by the U.S. Supreme Court in May in the *Sackett vs. EPA* case that limited the EPA's regulatory jurisdiction under the WOTUS rule. The EPA announced the release of its revised WOTUS rule that it stated will provide clarity to the scope of the WOTUS rule that was released earlier this year. The original WOTUS rule was released by the two agencies earlier this year.

While EPA's and Army's 2023 rule defining "waters of the United States" was not directly before the Supreme Court, the decision in *Sackett* made clear that certain aspects of the 2023 rule are invalid. The amendments are limited and change only parts of the 2023 rule that are invalid under the *Sackett v. EPA* decision. For example, the final rule removes the significant nexus test from consideration when identifying tributaries and other waters as federally protected.

Following eight years of litigation, five contradictory regulatory actions spanning three administrations, hundreds of thousands of public comments, and one Supreme Court decision, ARTBA president and CEO Dave Bauer said, "EPA's rule spurns the opportunity to deliver a lasting solution to protect the nation's wetlands and brazenly hands this responsibility back to the courts. We are back to Square One."

The National Association of Home Builders was also critical of the revised rule. NAHB Chairman Alicia Huey stated: "The amended WOTUS rule represents a blow to housing affordability. It assures continued uncertainty regarding federal jurisdiction as established by the Supreme Court's recent *Sackett* decision that made clear the federal government only has authority over relatively permanent waterbodies."

The EPA in announcing the new WOTUS rule noted that the Supreme Court's decision in *Sackett v. EPA*, issued on May 25, 2023, created uncertainty for Clean Water Act implementation. The EPA and Army are issuing this amendment to the 2023 rule expeditiously—three months after the Supreme Court decision—to provide clarity and a path forward consistent with the ruling. With this action, the Army Corps of Engineers will resume issuing all jurisdictional determinations. Because the sole purpose of this rule is to amend specific provisions of the 2023 Rule that are invalid under *Sackett*, the rule will take effect immediately.

"While I am disappointed by the Supreme Court's decision in the *Sackett* case, EPA and Army have an obligation to apply this decision alongside our state co-regulators, Tribes, and partners," said EPA Administrator Michael S. Regan. "We've moved quickly to finalize amendments to the definition of 'waters of the United States' to provide a clear path forward that adheres to the Supreme Court's ruling. EPA will never waver from our responsibility to ensure clean water for all. Moving forward, we will do everything we can with our existing authorities and resources to help communities, states, and Tribes protect the clean water upon which we all depend."

## EPA Issues Final Water Protections Rule

WASHINGTON—The U.S. Environmental Protection Agency announced on Sept. 14 a final rule to restore the fundamental authority granted by Congress to states, territories and Tribes to protect water resources that are essential to healthy people and thriving communities.

The agency's final Clean Water Act Section 401 Water Quality Certification Improvement Rule will support clear, efficient and focused water quality reviews of infrastructure and development projects that are key to economic growth, EPA officials stated.

EPA Administrator Michael S. Regan said, "With EPA's final Clean Water Act Section 401 rule, we are affirming the authority of states, territories and Tribes to protect precious water resources while advancing federally permitted projects in a transparent, timely, and predictable way."

For 50 years, the Clean Water Act has protected water resources that are essential to thriving communities, vibrant ecosystems, and sustainable growth. This final rule strengthens that foundation while recognizing the essential partnership among the federal government, states, territories, and Tribes in protecting our waters.

Clean Water Act Section 401 enables states, territories, and authorized Tribes to protect their water quality from adverse impacts of construction or operation of federally permitted projects. Under Section 401 of the Act, a federal agency may not issue a license or permit to conduct any activity that may result in any discharge into a water of the United States, unless the appropriate state, territory, or authorized Tribe issues a CWA Section 401 water quality certification or waives certification. EPA's 2023 rule realigns the scope of Section 401 certification with decades of established practice and restores and strengthens the role of states, territories, and authorized Tribes.

The rule enhances certification review and provides regulatory certainty to advance federally permitted projects. For example, the rule establishes a six-month default timeframe (when the federal agency and certifying authority fail to reach an agreement) and a one-year maximum timeframe for certification review (the statutory maximum). The rule emphasizes that states, territories, and Tribes may only consider the adverse water quality-impacts from the activity. To limit delays, the rule also provides a clear approach to defining the required contents in a request for certification.



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## Champlain Hudson Power Express

Continued from page 8 for low-income and disadvantaged New Yorkers. The next Request for Proposals as part of the GEF is set for early 2024 and will be focused specifically on training and development programs operating outside of New York City.

Building and Construction Trades Council of Greater New York President Gary LaBarbera noted the project, will create good paying union jobs and careers. "Progress on yet another important phase of the CHPE project represents critical progress in this key initiative that will act as a stimulus for New York's economy and achievement of our clean energy goals. We look forward to continuing our work with CHPE and the State to provide a workforce of highly skilled union tradesmen and tradeswomen who will effectively complete this project with the opportunity to support their families and pursue the middle class," he said

### New York State's Climate Plan

New York State's nation-leading climate agenda calls for an orderly and just transition that creates family-sustaining jobs, continues to foster a green economy across all sectors and ensures that at least 35%, with a goal of 40%, of the benefits of clean energy investments are directed to disadvantaged communities. Guided by some of the nation's most aggressive climate and clean energy initiatives, New York is on a path to achieving a zero-emission electricity sector by 2040, including 70% renewable energy generation by 2030, and economywide carbon neutrality by mid-century.

A cornerstone of this transition is New York's unprecedented clean energy investments, including more than \$35 billion in 120 large-scale renewable and transmission projects across the state, \$6.8 billion to reduce building emissions, \$3.3 billion to scale up solar, more than \$1 billion for clean transportation initiatives, and over \$2 billion in NY Green Bank commitments. These and other investments are supporting more than 165,000 jobs in New York's clean energy sector in 2021 and more than 3,000% growth in the distributed solar sector since 2011. To reduce greenhouse gas emissions and improve air quality, New York also adopted zero-emission vehicle regulations, including requiring all new passenger cars and trucks sold in the state be zero emission by 2035. Partnerships are continuing to advance New York's climate action with nearly 400 registered and 100 certified Climate Smart Communities, nearly 500 Clean Energy Communities, and the state's largest community air monitoring initiative in 10 disadvantaged communities across the state to help target air pollution and combat climate change.

# Save the Date

## Thursday, October 12th



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# Next Gen Leaders



## Profiles of the Industry's New Generation



## Nicola Altomare

**Age**  
23

**Title & Company**  
Mechatronics Engineer  
aRoboticsCompany—Ossining, NY

**Accomplishments**  
Awarded five annual CAI Scholarships  
—2018, 2019, 2020, 2021, 2022

**University Attended & Major**  
Rensselaer Polytechnic Institute  
Bachelor of Science, Electrical Engineering, 2022  
Master's Degree, Electrical Engineering, 2023

**Favorite Course or Subject**  
“Embedded Control, a course in which one learns how to program and interact with the real world. Building a robotic car, or RC, it learns to interact with physical objects and obstacles in a laboratory. I took the course as an undergraduate and advanced in graduate school as a Teaching Assistant to undergraduates.”

**Why this professional choice?**  
“I attended Saunders Trades and Technical High School in Yonkers where I was drawn to robotics and eventually joined the school's robotics team. I can't say there was a eureka moment when I knew robotics was for me. It was more a culmination of little moments; I always enjoyed electronics, creating, and trying out different electronic systems.”

**First Influence**  
“When I was a kid I was given an Erector Set. It had lots of little metal construction toy pieces, electronics and motors. I put stuff together and built whatever I wanted to.”

**Most Memorable Quote or Thought**  
“I use the acronym “FOCUS” as my North Star. It means ‘Follow One Course Until Success.’ In other words, stay with the course instead of bailing ship, and keep on it until it works. I would offer this as the advice to a young person entering the field.”

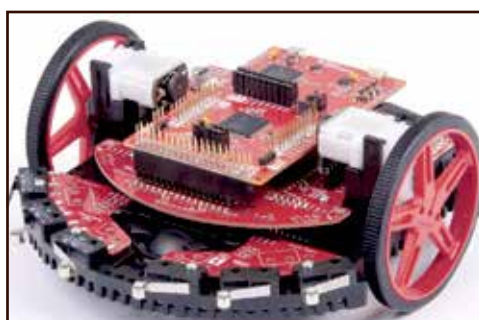
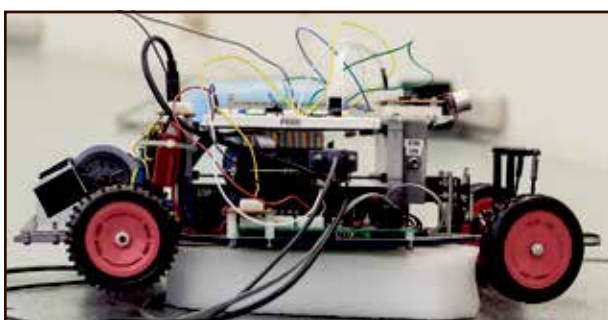
**Biggest Challenges Now**  
“Adjusting to the new discipline of staying on one topic for months at a time. It's a new challenge to learn something thoroughly instead of exploring lots of different subjects at the same time as a college student does.”

**Greatest Accomplishment to Date**  
“Earning a Master's Degree. It was no joke, the undergraduate is more of a marathon; the graduate degree is a short intense sprint.”

**Favorite Interests/Hobbies**  
“I love indoor rock climbing. With a backyard metal forge I built, I make kitchen and pocketknives.”

**Family relationship to BCA/CAI**  
“My late grandfather, Mario Altomare, came from Calabria, Italy in 1970 and joined the Bricklayers Union in Newburgh, Local 5 at the time. It's now Local 1.”

—Alan Kennedy, Researcher and Writer



In some classes in the education process, students are given the tools to create something that the future will embrace as a breakthrough and advancement in science. Here are two robotic cars (RC) Nicola created that combine his skills to wire, code, program and tackle an engineering challenge that might find everyday application in tomorrow and beyond.

### ABOUT THE BCA/CAI SCHOLARSHIP

Since its inception in 2009, the Building Contractors Association/Construction Advancement Institute College Scholarship Program has awarded more than \$460,000 to 62 students enrolled at more than 40 colleges and universities throughout the U.S.

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# NYC Has Been Allocated Nearly \$1 Billion In Total Federal Infrastructure Funding

NEW YORK—New York City Mayor Eric Adams announced earlier this month that New York City has been allocated for \$987 million in federal infrastructure funding through the city's Federal Infrastructure Funding Task Force, including \$367 million in competitive funding. Additionally, the city has submitted \$1.5 billion worth of competitive federal infrastructure grant applications and plans to submit \$1 billion more—totaling more than \$2.5 billion—in grant applications by the end of the year.

“Over the past year, we've had an unprecedented opportunity to secure much-needed resources for critical infrastructure projects, and today, I'm proud to announce that our diligent work is paying off,” said Mayor Adams. “The nearly \$1 billion in funding we've already been allocated, as well as the additional more than a billion we will soon be seeking, will allow us to build a stronger, more resilient city that delivers a better product for New Yorkers. And we're not stopping there—we'll continue to go after every federal dollar we can to keep building world-leading infrastructure projects across the five boroughs.”

“From roads, bridges, ports, and airports to clean water and high-speed internet, President Biden's 'Investing in America Agenda' is delivering on rebuilding our infrastructure,” said Senior Advisor to President Biden and White House Infrastructure Coordinator Mitch Landrieu. “Our investments in New York through the Bipartisan Infrastructure Law are strengthening our supply chains and our national economy—creating good-paying jobs and improving sustainability in our nation's most populated city. The work we are doing in New York with Mayor Adams, countless state and local officials, and community leaders is proof that, together, we are growing our economy from the bottom up and middle out and working for working people. That's Bidenomics at work.”

Recent federal legislation, including the Bipartisan Infrastructure Law and Inflation Reduction Act, have made unprecedented amounts of federal funding available for key projects across the country. Recognizing this once-in-a-lifetime opportunity, Mayor Adams formed the Federal Infrastructure Funding Task Force. Under Deputy Mayor Meera Joshi's guidance, that task force evaluates the competitive grant opportunities available, with a focus on new opportunities made possible through the Biden Administration's Bipartisan Infrastructure Law and Inflation Reduction Act and works to break silos and foster creativity across the agencies. The city has aligned its priorities for high-quality, sustainable, and equitable in-

frastructure with aggressive and creative grant applications from a wide range of infrastructure agencies. To date, the city has submitted more than 70 individual applications to more than 35 grant programs.

## Significant Bipartisan Infrastructure Law Grants Announced from January 2022 to Date

- Hunts Point Terminal Produce Market Redevelopment – \$110 million from the U.S. Department of Transportation Infrastructure for Rebuilding America Program—The New York City Economic Development Corporation (NYCEDC), with the New York City Department of Small Business Services and New York City Department of Transportation (DOT), is redeveloping the Hunts Point Terminal Produce Market. The new produce market will be an approximately 1 million-square-foot, state-of-the-art

intermodal freight facility with more than 800,000 square feet of refrigerated warehouse space and 200,000 square feet of

Department of Parks & Recreation (NYC Parks) will provide on-site water infrastructure to 260 food-producing community

and Equity (RAISE) Program—NYCHA will build safe and secure e-bike charging and storage facilities. This grant covers 173 stations across 53 NYCHA developments. The charging and storage stations will reduce the chances of e-bike related fires at NYCHA facilities. This means that residents will no longer need to charge their e-bikes in their apartments. They will be able to do so safely, outdoors. This year represents the first time a public housing authority has won a capital construction transportation RAISE grant.

- Delancey Street Roadway Improvements and Street Safety Planning—\$21.48 million from the U.S. Department of Transportation Safe Streets and Roads for All Program—DOT will use \$18.5 million for safety improvements at Delancey Street at the foot of the Williamsburg Bridge.

Please turn to page 30

*“From roads, bridges, ports, and airports to clean water and high-speed internet, President Biden's 'Investing in America Agenda' is delivering on rebuilding our infrastructure.”*

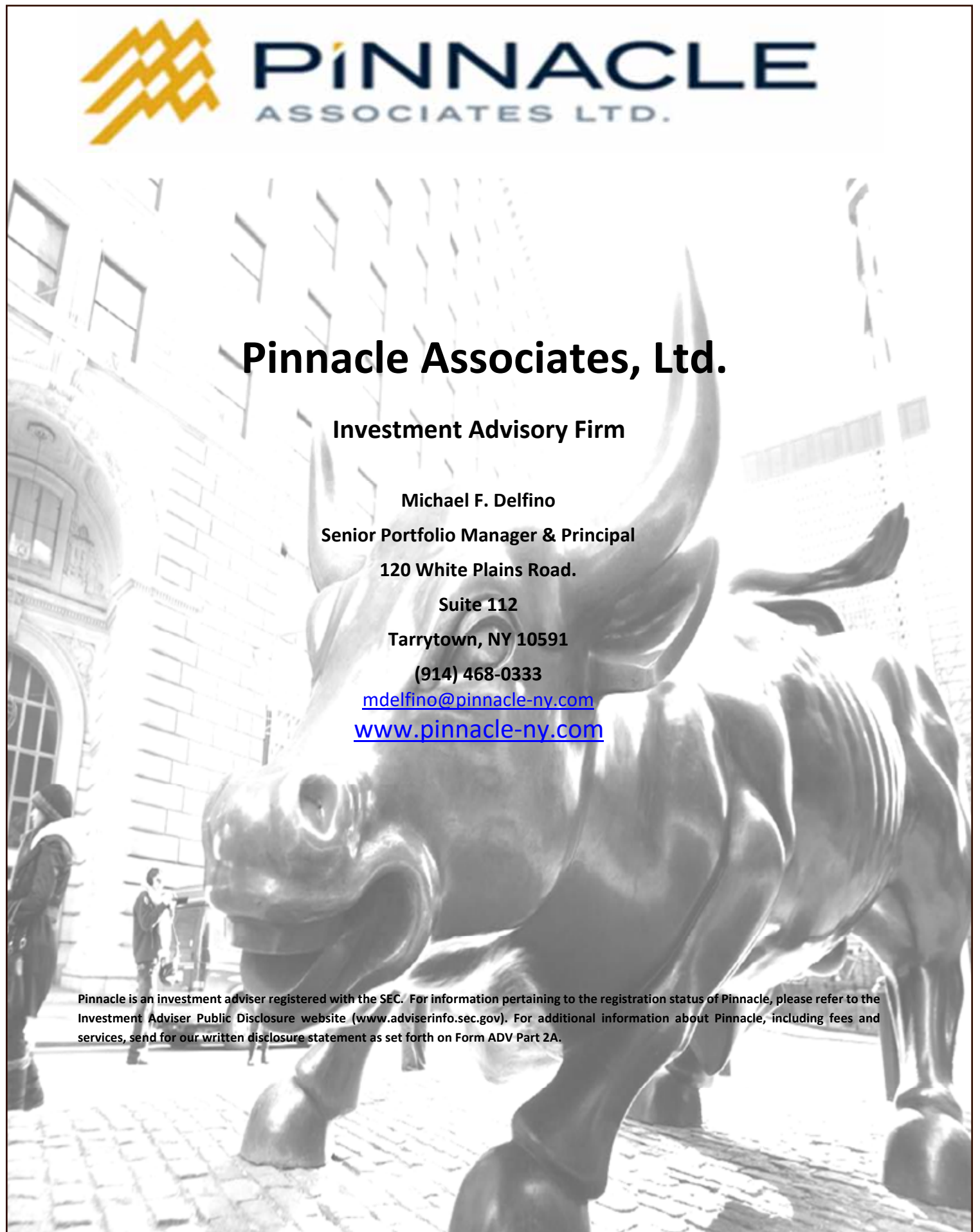
—Mitch Landrieu, Senior Advisor to President Biden

ancillary space. The produce market distributes over 2.5 billion pounds of produce a year to New York City and the New York metropolitan region.

- Community Garden Water Management—\$47 million from the U.S. Department of Agriculture Watershed and Flood Prevention Operations Program—The New York City

gardens throughout the city, supporting city parks and urban agriculture infrastructure in all five boroughs.

- New York City Housing Authority (NYCHA) SAFE-Micromobility E-Bike Charging—\$25 million from the U.S. Department of Transportation Rebuilding American Infrastructure with Sustainability



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## WHAT'S NEW & WHO'S NEWS

# Thomas Feighery Appointed Putnam DPW Commissioner

CARMEL, NY—Putnam County Executive Kevin Byrne announced recently his appointment of Thomas “Tommy” Feighery as Putnam County’s new Commissioner of the Department of Public Works.

Mr. Feighery was initially named Acting Administrator of the Department of Highway & Facilities, prior to it being reorganized into the Department of Public Works. He’s been serving in this capacity since County Executive Byrne took office earlier this year.

“Commissioner Feighery has been an asset to Putnam County for many years and I’m proud to have him continue his service as DPW Commissioner,” said County Executive Byrne. “Tommy’s done an excellent job so far, assisting us through a massive storm back in July



Thomas Feighery

that caused millions of dollars in dam-

age to county roads and property. He’s risen to the occasion numerous times, has lifted spirits and morale in the department, and continues to display pride in the mission and work conducted by the men and women in DPW. Tommy’s attitude, professionalism, and willingness to work tirelessly for the residents of Putnam County will continue to be a huge benefit for our entire community.”

Mr. Feighery was chosen after a competitive interview process by a selection committee that included Director of Personnel Paul Eldridge, Deputy Director of Personnel Adriene Iasoni, Chair of Physical Services Committee Legislator Bill Gouldman, Chair of Audit Committee (former Chair of Physical Services) Legislator Joseph Castellano, former Putnam Valley Highway Superinten-

dent Larry Cobb and Deputy County Executive Jim Burpoe.

Mr. Feighery’s nomination must now be confirmed by a majority vote of the Putnam County Legislature according to the Putnam County Charter.

Mr. Feighery previously served as Deputy County Executive under Putnam County Executive Mary Ellen Odell after serving as a project manager in the county’s Highway & Facilities Department. He has extensive experience in building and construction management, having supervised commercial, residential, and tunnel construction for more than 30 years in Manhattan with Local 147 Sandhogs. He also brings experience as a small business owner from operating Fiddler’s Green Pub for 35 years before selling it to its present owners.

## Gov. Wants Frank Hoare to Serve As Thruway’s Executive Director

ALBANY—New York Gov. Kathy Hochul announced on Sept. 18 she is recommending Frank Hoare to the Board of Directors of the Thruway Authority to serve as the Authority’s Executive Director.

Upon appointment by the Thruway Authority Board of Directors and subject to confirmation by the Senate, Mr. Hoare will continue to lead the state’s 570-mile superhighway system, first founded in 1954. Mr. Hoare’s nomination will be submitted after the Senate convenes in January 2024. He was appointed Interim Executive Director of the New York State Thruway Authority in December 2022.

“Millions of New Yorkers rely on the Thruway every year to get to work, move their goods to market, and see their loved ones,” Gov. Hochul said. “Having seen first-hand his leadership as Interim Executive Director through historic storms across the state, I know that Frank Hoare has the skills and experience required to keep the Thruway Authority moving and New Yorkers safe.”

New York State Thruway Authority Interim Executive Director Hoare said, “I’m honored to have the full confidence of Governor Hochul and her administration to lead the incredibly dedicated team at the Thruway Authority as we continue our system-wide modernization efforts and sustained investments in our infrastructure.



Frank Hoare

Our mission is to provide a safe and reliable highway for hundreds of millions of motorists each year. The 570-mile Thruway is a critical corridor supporting the movement of goods to benefit New York State’s economy and the entire Northeast, and I am humbled to have this opportunity.”

Mr. Hoare has served as the General Counsel of the authority since December 2020. His legal career has included both state government service and private practice including previous positions as Associate Counsel at the N.Y.S. Division of Military & Naval Affairs, Deputy Secretary to the Governor for Legislative Affairs, General Counsel at the N.Y.S. Division of Homeland Security & Emergency Services, Deputy Attorney General for Regional Affairs and Deputy Counsel to the Attorney General, and Counsel to Assemblyman Herman D. Farrell, Jr., Chair of the Assembly Ways & Means Committee.

He was a partner at a firm specializing in litigation for six years and early in his career was an associate at several firms engaged in civil litigation in federal and state courts. Mr. Hoare served as a Judge Advocate in the U.S. Army Reserve for 28 years, including four overseas deployments. He earned a Bachelor of Arts from the University at Albany and his Juris Doctor from Albany Law School.

## ‘Skill Up Rockland’ IDA Initiative Will Create Three Internships Via RCC

SUFFERN, NY—The County of Rockland Industry Development Agency reported on Aug. 28 it is partnering with Rockland Community College on a “Skill Up Rockland” internship program. The Rockland IDA will provide internship stipends totaling \$7,500 to support three RCC students pursuing internships in fields aligned with industry, economics, and business. The stipends, each valued at \$2,500, will be awarded to one student per semester—Fall, Spring, and Summer.

The internship stipends will directly benefit RCC students interning at businesses within Rockland County, contributing to both the students’ educational experience and the economic growth of the region. To be selected for the internship stipends, students will undergo an assessment process, which considers factors such as financial need and the submission of an essay outlining how their targeted internship aligns with their career goals. While the selected students will not intern directly for the IDA, they will be interning through RCC Career Services, thereby ensuring a meaningful and enriching experience.

“The collaboration between Rockland IDA and RCC represents a crucial step towards fostering economic development and supporting our local talent,” remarked Steven Porath, executive director of the RCIDA. “We are excited to partner with the RCC Foundation to invest in the future workforce of Rockland County.”

Kevin Stump, VP of Economic Mobility + Workforce Innovation, added, “This partnership exemplifies RCC’s commitment to providing students with exceptional opportunities for growth and real-world experience. We are deeply grateful to the Rockland IDA for their generous support in helping our students achieve their academic and professional aspirations.” For further information about the partnership and the internship stipends, please contact Joan F.X. Halligan, RCC’s Executive Director of Development, at 845-587-6482 or at joan.halliganwang@sunyrockland.edu

## Gateway Development Awards Two Major Contracts

Continued from page 23  
build upon that momentum and the synergies we have forged between our partners in Washington and across the Hudson.”

In addition to its progress on Tonnelle Ave. construction, the Board passed a series of resolutions concerning:

- A Market Case Estimate of \$47.3 million for the Tonnelle Avenue project, including all final negotiated costs and contingencies related to the project’s construction and delivery, and authorizing the execution of construction funding agreements with project partners;
- A Supporting or Execut-

ing Partner Agreement with the Port Authority of New York and New Jersey for services in support of the tunneling and heavy civil work of the HTP;

- Labor Agreements between GDC and labor unions undertaking work on the Hudson River Ground Stabilization Project;
- A stipend program to support the Manhattan Tunnel Project procurement process; and
- Appointment of Robert Hickman to serve as Chief Administrative and Legislative Officer of the Gateway Development Commission.

## NYC Has Been Allocated Nearly \$1 Billion In Total Federal Infrastructure Funding

Continued from page 29  
These upgrades will include a road diet, a separated bikeway, accessibility improvements, and street reconstruction for pedestrian, bike, and vehicle safety outcomes. The remaining funding will support planning grant activities focusing on pedestrian flow modelling and a Micromobility safety tool kit.

- East River Bridges Capital Planning—\$1.6 million from the U.S. Department of Transportation Bridge Investment Program Planning Grant—DOT will facilitate planning and development of a 30-year capital construction program for the four iconic East River bridges: the Brooklyn Bridge,

the Manhattan Bridge, the Williamsburg Bridge, and the Ed Koch Queensboro Bridge.

“We applaud the Adams administration for taking full advantage of the historic infrastructure funding coming down from the federal government,” said Carlo A. Scissura, president and CEO, New York Building Congress. “These projects have the potential to transform our city by improving connectivity, making our communities more resilient and creating numerous jobs for New Yorkers. We will continue to advocate down in Washington DC to make sure this funding gets out the door, and on the ground as soon as possible. Our industry is eager

to get these projects built.”

“As we look to uplift our economy and make New York better now and for future generations, we must continue to fund critical infrastructure projects that not only upgrade our city, but create thousands of good paying, family sustaining careers,” said Gary LaBarbera, president, Building and Construction Trades Council of Greater New York. “This latest federal funding will go a long way in achieving these goals and providing hard working New Yorkers from all backgrounds an opportunity to enter the middle class and provide much needed economic stimulus to their communities.”



# Regional Bid Alert

## NYSDOT - Region 9

### Bid Letting Date: Sept. 28, 2023

New York State Department of Transportation  
Contract Management  
50 Wolf Road, 1st Floor, Suite 1CM  
Albany, NY 12232

Contract# D265091  
PIN# 906782  
FA Proj.# Y001-9067-823

Project Description: Tioga Co., pavement rehab/ bridge deck replacement: NY Route 17, Apalachin to Broome County Line, Town of Owego.

Bid Deposit: 5% of Bid (~ \$2,750,000.00)

Goals: DBE: 5.00%

## NYSDOT - Region 10

### Bid Letting Date: Oct. 12, 2023

New York State Department of Transportation  
Contract Management  
50 Wolf Road, 1st Floor, Suite 1CM  
Albany, NY 12232

Contract# D265082  
PIN# 0BCL23

Project Description: Nassau, Suffolk Cos., bridge cleaning - various routes, various locations.

Bid Deposit: 5% of Bid (~ \$375,000.00)

Goals: DBE: 10.00%

## New York State Dormitory Authority

### Bid Opening Date: Sept. 28, 2023

Title: Office for People with Developmental Disabilities, Hudson Valley DDSO, Building 2, 3, 5 and 11 Roof Replacement and Asbestos Abatement

Contract: CR11 General Construction

Project# 3583009999

Sealed bids for the above work located at Hudson Valley DDSO, 7 Wilbur Road, Thiells, New York 10984 will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside "BID ENCLOSED" and "ATTENTION: CONSTRUCTION CONTRACTS - DARIA KHANAFIEV." DASNY will not be responsible for receipt of bids which do not comply with these instructions.

All individuals who plan to attend pre-bid meetings or bid openings in person will be required to present government-issued picture identification to building security officials and obtain a visitors pass prior to attending the bid opening.

Individuals and entities submitting bids in person or by private delivery services should allow sufficient time for processing through building security to assure that bids are received prior to the deadline for submitting bids.

All bid openings will be made available for viewing live via Zoom at [www.zoom.us](http://www.zoom.us). To enter the meeting, select "Join a Meeting" then enter Meeting Id 353 471 6521, Password 351895. Individuals are strongly encouraged to utilize this public viewing option as an alternative to in person attendance at bid openings.

Only those bids in the hands of DASNY, available to be read at 2:00 PM local time on September 28, 2023 will be considered. Bids shall be publicly opened and read aloud. Bid results can be viewed at DASNY's website; <http://www.dasny.org>.

In accordance with State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between DASNY personnel and a prospective bidder during the procurement process. Designated staff for this solicitation is: Christopher Headley, Project Manager, 140 Old Orangeburg Road, Building 19, Orangeburg, New York 10962, 646-529-0012, [chheadley@dasny.org](mailto:chheadley@dasny.org), (the Owner's Representative) and DASNY at [ccontracts@dasny.org](mailto:ccontracts@dasny.org). Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY's website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting was scheduled on Thursday, September 7, 2023, at 10:00 AM at Hudson Valley DDSO, Work Control Building, 7 Wilbur Road, Thiells, New York 10984. All prospective bidders are strongly encouraged to attend.

Prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated June 17, 2021 that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable

sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid.

A complete set of Contract Documents may be viewed and/or purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. In addition, prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated June 17, 2021 that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY's website; <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS\_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

### Bid Opening Date: Oct. 18, 2023

Title: New York State Office of Addiction Services and Supports, Creedmoor Addiction Treatment Center, Building 19 Renovation and HAZMAT Abatement

Contract: CR14 General Construction

Project# 3360809999

Sealed bids for the above work located at Creedmoor ATC, Building 19, 80-45 Winchester Boulevard, Queens Village, New York, 11427 will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside "BID ENCLOSED" and "ATTENTION: CONSTRUCTION CONTRACTS - DARIA KHANAFIEV." DASNY will not be responsible for receipt of bids which do not comply with these instructions.

The Dormitory Authority of the State of New York ("DASNY") has determined that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages and any local history of labor unrest are best met by use of a Project Labor Agreement ("PLA") on this Project. The successful low bidder, as a condition of being awarded this Contract, will be required to execute the PLA described in the Information for Bidders and included in the Contract Documents. See Section 18.0 of the Information for Bidders of the Contract Documents for additional information. All subcontractors of every tier will be required to agree to be bound by the PLA.

All individuals who plan to attend pre-bid meetings or bid openings in person will be required to present government-issued picture identification to building security officials and obtain a visitors pass prior to attending the bid opening.

Individuals and entities submitting bids in person or by private delivery services should allow sufficient time for processing through building security to assure that bids are received prior to the deadline for submitting bids.

All bid openings will be made available for viewing live via Zoom at [www.zoom.us](http://www.zoom.us). To enter the meeting, select "Join a Meeting" then enter Meeting Id 353 471 6521, Password 351895. Individuals are strongly encouraged to utilize this public viewing option as an alternative to in person attendance at bid openings.

Only those bids in the hands of DASNY, available to be read at 2:00 PM local time on October 18, 2023 will be considered. Bids shall be publicly opened and read aloud. Bid results can be viewed at DASNY's website; <http://www.dasny.org>.

In accordance with State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between DASNY personnel and a prospective bidder during the procurement process. Designated staff for this solicitation is: Annette Duran, Chief Project Manager, 28 Liberty Street, 55th Floor, New York, New York 10005, 845-629-1062, [aduran@dasny.org](mailto:aduran@dasny.org) (the Owner's Representative) and DASNY at [ccontracts@dasny.org](mailto:ccontracts@dasny.org). Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY's website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting is scheduled on Wednesday, September 13, 2023, at 9:00 AM at Creedmoor ATC, Building 19m 80-45 Winchester Boulevard, Queens Village, New York 11427. Contact Dana Gearity at 631-756-8000 Extension 1. All prospective bidders are strongly encouraged to attend.

Prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated June 17, 2021 that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid.

A complete set of Contract Documents may be viewed and/or

purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. In addition, prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated June 17, 2021 that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY's website; <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS\_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

### Bid Opening Date: Oct. 24, 2023

Title: City University of New York, Herbert H. Lehman College, Davis Hall and Gillet Hall Roof Cover Replacement and Asbestos Abatement

Contract: CR20 General Construction

Project# 3578109999

Sealed bids for the above work located at Lehman College, 2850 and 2920 Goulden Avenue, Bronx, New York, 10468 will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside "BID ENCLOSED" and "ATTENTION: CONSTRUCTION CONTRACTS - JAMIE CHRISTENSEN." DASNY will not be responsible for receipt of bids which do not comply with these instructions.

The Dormitory Authority of the State of New York ("DASNY") has determined that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages and any local history of labor unrest are best met by use of a Project Labor Agreement ("PLA") on this Project. The successful low bidder, as a condition of being awarded this Contract, will be required to execute the PLA described in the Information for Bidders and included in the Contract Documents. See Section 18.0 of the Information for Bidders of the Contract Documents for additional information. All subcontractors of every tier will be required to agree to be bound by the PLA.

All individuals who plan to attend pre-bid meetings or bid openings in person will be required to present government-issued picture identification to building security officials at Gate 5 and obtain a visitors pass prior to attending the bid opening.

Individuals and entities submitting bids in person or by private delivery services should allow sufficient time for processing through building security to assure that bids are received prior to the deadline for submitting bids.

All bid openings will be made available for viewing live via Zoom at [www.zoom.us](http://www.zoom.us). To enter the meeting, select "Join a Meeting" then enter Meeting Id 353 471 6521, Password 351895. Individuals are strongly encouraged to utilize this public viewing option as an alternative to in person attendance at bid openings.

Only those bids in the hands of DASNY, available to be read at 2:00 PM local time on October 24, 2023, will be considered. Bids shall be publicly opened and read aloud. Bid results can be viewed at DASNY's website; <http://www.dasny.org>.

In accordance with State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between DASNY personnel and a prospective bidder during the procurement process. Designated staff for this solicitation is: Christopher Wuest, Sr. Project Manager, 250 Bedford Park Boulevard West, T3 Building Room 124, Bronx, New York 10468, 646-773-0081, [cwuest@dasny.org](mailto:cwuest@dasny.org) (the Owner's Representative) and DASNY at [ccontracts@dasny.org](mailto:ccontracts@dasny.org). Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY's website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting was scheduled on Friday, Sept. 22, 2023, at 10:00 AM at 2850 Goulden Avenue, Bronx, New York 10468. Contact Chris Wuest at 646-773-0081. All prospective bidders are strongly encouraged to attend.

A complete set of Contract Documents may be viewed and/or purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. In addition, prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated June 17, 2021, that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY's website; <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS\_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY's website; <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS\_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

### Bid Opening Date: Oct. 24, 2023

Title: Herbert H. Lehman College, Shuster Hall, Fine Arts Building, and Entry Link Façade Restoration and Associated HAZMAT Removal

Contract: CR79 General Construction

Project# 3253809999

Sealed bids for the above work located at Lehman College, 2900 and 2910 Goulden Avenue, Bronx, New York 10468 will be received by DASNY at its office located at 515 Broadway, Albany, NY 12207. Each bid must be identified, on the outside of the envelope, with the name and address of the bidder and designated a bid for the Project titled above. When a sealed bid is placed inside another delivery jacket, the bid delivery jacket must be clearly marked on the outside "BID ENCLOSED" and "ATTENTION: CONSTRUCTION CONTRACTS - JAMIE CHRISTENSEN." DASNY will not be responsible for receipt of bids which do not comply with these instructions.

The Dormitory Authority of the State of New York ("DASNY") has determined that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages and any local history of labor unrest are best met by use of a Project Labor Agreement ("PLA") on this Project. The successful low bidder, as a condition of being awarded this Contract, will be required to execute the PLA described in the Information for Bidders and included in the Contract Documents. See Section 18.0 of the Information for Bidders of the Contract Documents for additional information. All subcontractors of every tier will be required to agree to be bound by the PLA.

All individuals who plan to attend pre-bid meetings or bid openings in person will be required to present government-issued picture identification to building security officials and obtain a visitors pass prior to attending the bid opening.

Individuals and entities submitting bids in person or by private delivery services should allow sufficient time for processing through building security to assure that bids are received prior to the deadline for submitting bids.

All bid openings will be made available for viewing live via Zoom at [www.zoom.us](http://www.zoom.us). To enter the meeting, select "Join a Meeting" then enter Meeting Id 353 471 6521, Password 351895. Individuals are strongly encouraged to utilize this public viewing option as an alternative to in person attendance at bid openings.

Only those bids in the hands of DASNY, available to be read at 2:00 PM local time on Tuesday, October 24, 2023 will be considered. Bids shall be publicly opened and read aloud. Bid results can be viewed at DASNY's website; <http://www.dasny.org>.

In accordance with State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between DASNY personnel and a prospective bidder during the procurement process. Designated staff for this solicitation is: Christopher Wuest, Sr. Project Manager, 250 Bedford Park Boulevard West, T3 Building Room 124, Bronx, New York 10468, 646-773-0081, [cwuest@dasny.org](mailto:cwuest@dasny.org) (the Owner's Representative) and DASNY at [ccontracts@dasny.org](mailto:ccontracts@dasny.org). Contacts made to other DASNY personnel regarding this procurement may disqualify the prospective bidder and affect future procurements with governmental entities in the State of New York. For more information pursuant to this law, refer to DASNY's website; <http://www.dasny.org> or the OGS website; <http://www.ogs.state.ny.us>.

A Pre-Bid Meeting is scheduled on Friday, September 22, 2023, at 1:00 PM at 2900 Goulden Avenue. Contact Chris Wuest at 646-773-0081. All prospective bidders are strongly encouraged to attend.

A complete set of Contract Documents may be viewed and/or purchased online from Camelot Print and Copy Centers. Only those Contract Documents obtained in this manner will enable a prospective bidder to be identified as an official plan holder of record. DASNY takes no responsibility for the completeness of Contract Documents obtained from other sources. Contract Documents obtained from other sources may not be accurate or may not contain addenda that may have been issued. In addition, prospective bidders are advised that the Contract Documents for this Project contain new "GENERAL CONDITIONS for CONSTRUCTION" dated June 17, 2021, that contain significant revisions from those documents previously contained in DASNY's Contract Documents. Prospective bidders are further advised to review applicable sections of these General Conditions for any potential impact on their bid price prior to submittal of the bid. The plan holders list and a list of interested subcontractors and material suppliers may be viewed at DASNY's website; <http://www.dasny.org>. For Bid Opportunities and other DASNY related news, follow us on Twitter @NYS\_DASNY and Facebook <https://www.facebook.com/pages/DASNY-Dormitor-Authority-of-the-State-of-New-York/307274192739368>.

*Agency contact information may change without notice. Please check with the appropriate contracting agency for the most up-to-date contact information.*





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## ALBANY UPDATE

### Job Flexibility Tops Worker Priorities; Worker Retention Leads for Employers

ALBANY—The New York State Department of Labor released the results of its 2023 Workforce Development Survey, and workers continue to say that flexibility in their job is the number-one priority, while attracting new employees and retaining current workers remain the top challenges for businesses.

The annual survey, which is done in partnership with Empire State Development and the New York State Business Council, started in 2021 as an effort to understand the needs of both workers seeking employment and employers in a post-pandemic economy. Gathering responses from more than 2,400 businesses and 8,200 individuals, this survey is the most comprehensive survey available on the specific needs of businesses and job seekers statewide.

“In the wake of the economic uncertainty generated by the pandemic, many businesses report that they continue to struggle with filling open positions,” said New York State Department of Labor Commissioner Roberta Reardon. “Now, more than ever, it is imperative that we use what we’ve learned from this collaborative survey to understand the changes that have occurred in the labor market and develop effective strategies to match people to careers.”

In the survey, businesses report they are struggling to attract workers and say that competition for a limited talent pool is driving the market. Attracting new workers, retaining current workers, fears of inflation and increased regulations on businesses are top concerns of employers in New York State. There is also a major need for skilled trades awareness and training.

For workers, paid time off, health insurance, and higher pay continue to remain high priorities, though this year, for the first time, “ability to work remotely full-time” is a top incentive job seekers desire. Workers have preference for online training, virtual workshops and job fairs, and one-on-one career guidance. NYSDOL offers many of these services at no cost.

Recent NYSDOL efforts in workforce development, including a \$350-million investment by Gov. Kathy Hochul, are creating opportunities for workers looking to grow their skills and incomes in the competitive State economy. For workers looking to upskill and train in higher-paying industries and careers, they say lack of education, access to professional networks, and age discrimination remain recurring impediments, according to the survey.

Higher education and further skills development remain out of reach for many workers, due to rising costs of schooling and time constraints of working other jobs. Job seekers are interested in advanced training in digital skills, driver certifications, and healthcare. NYSDOL offers free job search assistance in our 96 career centers, free upskilling and training through Coursera, and most recently launched the Northstar Digital Literacy Program, for employment seekers lacking digital literacy skills.

Many New Yorkers are actively seeking work in construction, retail trade, health care and social assistance, and other industries and services. Top positions that employers are looking to fill include teachers, CDL drivers, and laborers.

Most businesses are looking to maintain or increase their physical footprint, signaling the need for a continued, active local workforce. Three-quarters of businesses statewide report they are not considering implementing any form of digital automation. Despite fears of automation and Artificial Intelligence taking away jobs, the necessity for skilled workers in New York State remains.

### Woodbury Common Outlets Submits Plans for \$250 Million Expansion

Continued from page 9  
Common expansion project will be undertaken under a Project Labor Agreement. Prior expansion projects at the retail center have been performed under PLAs. Mr. Diorio said discussions on crafting a PLA have begun with representatives of Woodbury Common.

Simon listed a host of benefits for the local area if the proposed development project was approved, such as:

- Substantial additional property and sales tax revenue to be shared by the Town and Village of Woodbury, Orange County, the Monroe-Woodbury School District, the Metropolitan Transit Authority, and po-

lice services in Woodbury and New York State.

- More than 3,000 jobs, including: 770 additional full-time and part-time jobs, plus an additional 296 indirect and induced jobs in New York State.

Nearly 2,000 direct and indirect construction jobs, including 1,659 on site.

Woodbury Common Premium Outlets currently employs 5,000 full-time and part-time during peak season. Woodbury Common debuted in 1985 with 25 stores encompassing 115,000 square feet. Today, it features more than 912,000 square feet of retail space and more than 250 outlet stores after completing multiple expansion projects.



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2024

## ANNUAL CIC / NYS DOT REGION 8 SAFETY SEMINAR

Tuesday, January 16, 2024

8:00 am - 3:30 pm  
Culinary Institute of America  
1946 Campus Dr., Hyde Park, NY 12538

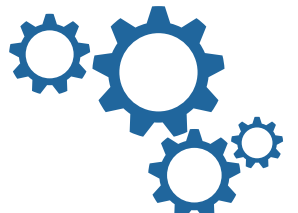


**Topics Include:**  
Overview of OSHA  
Slips, Trips & Falls  
Runovers and Backovers  
Trenching & Excavation  
Prevention of heat-related illness and injuries

### January is Safety Month

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**Monday, October 30, 2023**

7:30 am - 5:00 pm

- Includes Technical Study Field Trip to Playland, Rye, NY (Walking Tour / Required for LU/HSW Credits)

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455 South Broadway  
Tarrytown, NY 10591

**Limited to 45 Participants**

\$125 registration

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## LOW BIDS

### Power Line Constructors Wins Signal Job in Ulster County

ALBANY—The New York State Department of Transportation recently announced that **Power Line Constructors Inc.** of Clinton, NY was the lowest of four bidders at \$380,402.84 for safety-signal installation at US Route 44/State Route 55 and Bruynswick Road in the Town of Gardiner in Ulster County.

### Bette & Cring Lands Bridge Project; Bronx Firm Wins Bridge Paint Bundle

ALBANY—The New York State Thruway Authority reported the selection of one apparent low bidder for a project in the Hudson Valley and another by a New York City-area contractor for work in Upstate New York.

**Bette & Cring, LLC** of Latham, NY was the lowest of six bidders at \$4,413,243. for the

replacement of the Cauterskill Road Bridge over I-87 at Milepost 112.57 in Greene County.

**JAGD Construction** of The Bronx, NY was the lowest of three bidders at \$2,479,613.76 for Buffalo Division painting of four bridges at M.P. 447.78, M.P. 458.20 M.P. 467.11 and M.P. 469.83 in Erie and Chautauqua counties.

### ELQ Industries Snags Bronx River Parkway Pathway Restoration Work

WHITE PLAINS—The Westchester County Department of Public Works reported that **ELQ Industries, Inc.** of New Rochelle, NY was the lowest of seven bidders at \$10,659,467. for the

Bronx River Reservation Pathway Renovation from the Oak Street Loop to Midland Avenue in Yonkers and Mount Vernon and the Village of Bronxville, NY.

## ALBANY UPDATE

### NYS Approves \$185M for Local Water Public Works Projects

ALBANY—The Environmental Facilities Corporation Board of Directors approved recently more than \$185 million in direct financial assistance for water infrastructure improvement projects across New York State. The board's approval authorizes municipal access to more than \$94.7 million in low-cost short-term financing and previously announced grants to get shovels in the ground for critical water and sewer infrastructure projects, including treatment processes to remove emerging contaminants from drinking water.

The board also took action to help ensure continued, long-term affordability of existing projects. This includes a \$189-million bond sale which, when combined with previously authorized grants, will save municipalities an estimated \$125 million in debt service payments for 25 projects statewide.

The Clean Water and Drinking Water projects that secured funding include \$750,000 to the City of Peekskill, approximately \$1.05 million for Sullivan County and a host of grant awards in Nassau and Suffolk counties.

"New York is committed to providing reliable access to clean and safe water," Gov. Hochul said. "This historic investment is a key step towards bolstering our environmental resiliency, public health, and economic development in communities across the state."

The funding approved today includes more than \$44 million from the federal Bipartisan Infrastructure Law (BIL). BIL funding for water and sewer infrastructure is administered by EFC through the State Revolving Funds. New York City was approved to receive a \$42 million long-term interest-free BIL financing for the North River cogeneration and electrification project that's underway. Based on current market conditions, this interest-free financing is projected to save city ratepayers an estimated \$33 million over 30 years. A \$2-million BIL grant was also approved for Hicksville in Nassau County for a drinking water project to treat emerging contaminants.

EFC President & CEO Maureen A. Coleman said, "EFC's efforts are designed to build local capacity and position communities to successfully and affordably undertake their critical water and sewer projects. EFC is focused on helping communities by serving as a resource—whether the need is for technical or financial assistance."

#### Clean Water Projects

**City of Peekskill, Westchester County**—\$750,000 WIIA grant for the planning, design and construction of sanitary sewer main improvements at Lower South Street, including installation of a new pump station and force main to reduce inflow and infiltration to Westchester County's Peekskill Wastewater Treatment Plant.

#### Drinking Water Projects

**Carle Place Water District, Nassau County**—\$5,000,000 WIIA grant for the installation of an advanced oxidation process treatment system and a granular activated carbon treatment system at Well No. 5 for the removal of 1,4-dioxane.

**Garden City Park Water District, Nassau County**—\$4,363,200 WIIA grant for the installation of an advanced oxidation process treatment system for the removal of 1,4-dioxane and a granular activated carbon system for the removal of PFOA and PFOS.

**Hampton Bays Water District, Suffolk County**—\$2,724,000 WIIA grant for the installation of two 12-inch water transmission mains across the Shinnecock Canal and the Shinnecock Bay.

**Hicksville Water District, Nassau County**—\$3,000,000 WIIA grant and \$2,000,000 BIL-Emerging Contaminants (EC) grant for the installation of advanced oxidation process and granular activated carbon treatment system at Plant No. 6 wells 6-1R and 6-2 for the removal of 1,4-dioxane, PFOA and PFOS.

**Plainview Water District, Nassau County**—\$13,840,200 WIIA grant for the installation of an advanced oxidation process treatment system and a granular activated carbon treatment system at Plant No. 5, Well Nos. 5-1, 5-2, 5-3 and 5-4 for the removal of 1,4-dioxane, PFOA and PFOS.

**South Farmingdale Water District, Nassau County**—\$3,000,000 WIIA grant for the installation of an advanced oxidation process treatment system and a granular activated carbon treatment system at the Plant No. 6 facility for the removal of 1,4-dioxane from Well No. 6-2

**South Huntington Water District, Suffolk County**—\$3,435,075 WIIA grant for the installation of an advanced oxidation process treatment system for 1,4-dioxane removal and the installation of Filtrasorb F-300AR carbon for PFAS removal in existing granular activated carbon vessels.

**Village of Wurtsboro, Sullivan County**—\$1,047,600 WIIA grant for the construction of approximately 1,100 linear feet of 8-inch ductile iron pipe water main on Sullivan Street to Kingston Avenue, replacement of eight water service connections and the replacement of the 300,000 gallon above-ground water storage tank in the village.

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