

## **MINUTES OF SPECIAL MEETING**

Held on April 21, 2022

At Village of East Hills 4:45 PM

Mayor Michael R. Koblenz, Deputy Mayor Manny Zuckerman, and Trustee Clara Pomerantz, were present. William C. Burton, Village Attorney attended and acted as Secretary.

The Mayor called the meeting to order and noted a quorum.

Discussion ensued over the means and methods to get the pool cleaned, painted, filled and balanced with chemicals with only a few weeks left before May 27, 2022, and two bids having been completed and both rejected and no time to rebid the work.

### **POOL PAINTING – REJECTION OF BID FROM APRIL 21, 2022**

#### **RES. #-22**

On motion of Clara Pomerantz, seconded by Manny Zuckerman, the bid submitted by “RJ Painting Inc.” for the “Painting of Pool at the Park at East Hills” is rejected for being non-compliant. Specifically, the bidder refused to sign the “time is of the essence provision” that required a completion date of May 6, 2022, and offered, instead, alternative terms and conditions. The time is of the essence clause is an essential term of the contract and cannot be considered immaterial and waived. The bid by RJ Painting Inc. is, therefore, rejected. The motion was unanimously passed.

### **DISPENSE WITH FORMAL BID REQUIREMENTS – POOL PAINTING**

#### **RES. #-22**

On motion of Manny Zuckerman, seconded by Clara Pomerantz, it was moved that because that the pool needs to be painted to protect it from damage and from injuries due to rough concrete, the Board, therefore, after taking reasonable measures to bid the pool painting twice, and rejected both bids, declares that an emergency exists. Accordingly, it directs that the Village to dispense with formal bid requirements. The motion was unanimously passed.

### **AUTHORIZE CONTRACT WITH RJ PAINTING, INC. – POOL PAINTING**

#### **RES. #-22**

On motion of Clara Pomerantz, seconded by Manny Zuckerman, the Mayor is authorized to enter into a contract with RJ Painting Inc. in the amount of \$79,000 to power wash and paint the pool. The motion was unanimously passed.

**CLAIMS**

**RES. #-22**

On motion of Clara Pomerantz, seconded by Manny Zuckerman , the General Fund abstract in the amount of \$55,893.90 was approved. The motion was unanimously passed.

On motion of Clara Pomerantz seconded by Manny Zuckerman, and carried unanimously, the meeting was adjourned sine dine.

Respectfully submitted,

William C. Burton  
Acting Secretary