



February 12, 2013

Geraldine N. Tortorella, Esq.
Hoeherman Tortorella & Wekstein, LLP
One North Broadway, Suite 701
White Plains, New York 10601

Dear Ms. Tortorella:

This note is intended to summarize the roof issues experienced by Open Door Family Medical Center @ Sleepy Hollow during the period of September 2009 until May of 2012. The roof concerns began in 2009 when Open Door was notified of receipt of a HRSA capital improvement project grant C81CS14197 effective June 29, 2009 affording us funds to renovate space in this building including placement of an elevator in order to access the second floor space in the old "Strand" building for eventual patient care services. This effort to make the second floor habitable for staff began in late 2008 when Open Door worked with our landlord, Cristina Plank and Larry Rodrigues, to arrange for asbestos abatement. After that work was completed, Open Door contracted with Scully Construction to remove the suspended ceiling on the second floor. That is when our contractor requested that we bring in a structural engineer to review the trusses and wood framing of the second floor roof before continuing any renovation.

The time line on our situation was as follows:

September 11, 2009: Hallama & Pelliccione, LLC reviewed and recommended immediate shoring since there was concern that two wood truss assemblies were in or near failure mode and could collapse without warning. A need for a permanent shoring was recommended at that time.

September 14, 2009: Open Door was advised not to have staff in the building. Patients and staff were directed to another site when the work began. Patients and staff returned to the building on Wednesday, September 16th after being closed for two days.

September 15, 2009: Received concern by email from Scully Construction that the roof trusses are supported by the exterior walls, but the exterior walls are in poor condition and in need of re-pointing.

October 9, 2009: Lindsay Farrell, me, Larry Rodrigues (owner), and the Village Architect, Sean McCarthy, met at the second floor of Beekman Avenue to review the information. Mr. McCarthy was to review the information from the building owner and the reports from our engineer and make a determination the following week about what was to be done in the building. Open Door planned to wait to receive this information back from the village representative before any further work would be continued by open door on the second floor.

January 5, 2010: Scully Construction sent us a note from the engineering firm – Richard C. Mugler, Co. Inc. reminding all that the shoring in the building installed September 2009 was only temporary. This email from Scully indicated that Brian Keating from Scully Construction met with Sean McCarthy, Village Architect, several weeks earlier and noted that the Village Architect was still making a determination about the "dueling engineers" strategy for structural integrity of the roof trusses. At that time, Open Door asked Scully to obtain a permit extension for the temporary trusses.

January 6, 2010: Scully confirmed that they would follow up with the village on the permit.

July 26, 2010: Scully Construction communicated with Joe Plaiva and the Village Architect, Sean McCarthy, about the temporary trusses noting that the recommendation from the engineering firm contracted by Open Door was shared with the building owner.



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July 27, 2010: Sean McCarthy responded questioning whether the information from the earlier email was sent too the building owner.

March 16, 2011: Richard C. Mugler Co. Inc. engineer sent an email to Sean McCarthy and copied Scully Construction noting that he had written 4 letters over 18 months and had received no plan from either Open Door or the owner of 80 Beekman.

March 29, 2011: Richard C. Mugler again emailed Sean McCarthy, Village Architect, since he still had no response from his earlier communications.

March 29, 2011: Sean McCarthy responded that Richard Mugler's concerns were forwarded to the property owner and that the owner has retained an engineer to evaluate the condition and provide a recommendation.

May 3, 2012: Anita Wilenkin received an email from the owner, Cristina Plank, indicating that an engineer would need access to the second floor of 80 Beekman Avenue for repairs. In addition, the landlord sent a letter that stucco repair in the front of the building would also be repaired at that time.

May 23, 2012: Received notification from Union AC, Inc. that the repair on the second floor of the building was completed and approved.

May 23, 2013: Martin Krauss, Facilities Manager heard from the Village Architect, Sean McCarthy, that the inspection was done, but there were a few field modifications remaining and he would be waiting for the engineer final sign off.

June 20, 2012: Received a copy of Certificate of Compliance from Village of Sleepy Hollow that the roof truss repair was completed. Once we received this, Open Door notified Scully Construction to arrange for the removal of the "temporary supports" that were installed in September 2009.

As the following suggests, Open Door and our landlord are still not communicating well since on January 9, 2013 our Facilities Manager was notified by the Office Assistant of the Sleepy Hollow Building Department about a sewer back up. The landlord, Larry Rodrigues, notified the Village Architect of the issue. Open Door repaired the problem January 10, 2013. At the time, Open Door staff also noticed debris in the east alleyway and notified Sean McCarthy about the debris that was not the responsibility of Open Door. Mr. McCarthy requested pictures to be sent to him which was done on January 17, 2013. The same pictures were shared with our landlord, Larry Rodrigues. As of this writing, the condition in the alley way has not been rectified.

Thank you for your interest in our structural concerns. If you need more information, please feel free to contact me.

Sincerely,



Anita Wilenkin
Chief Operating Officer