

PERMANENT BUILDING COMMITTEE
Minutes - March 6, 2008

Present: Chair Bruce Ey, Co-Chair Elaine Jones, Michael Melnick, Thomas Scarlata. Also present Thomas Joyner.

The meeting was called to order at the Flynn Building at 7:30 p.m.

Minutes. The minutes of July 12, 2006 and January 3, 29, 30, February 15, March 21 and April 9, 2007 were approved. The notes of the April 19, 2007 working session were approved. The minutes of September 19, 2006 were tabled.

It was noted that three PBC members, Mr. Melnick, Mr. Ey, and Ms. Jones, attended the January 29, 2008 meeting with Town Counsel, the bonding company claims representative and the attorney for the bonding company. The meeting, which had been arranged by Town Counsel had been posted, but no minutes were taken as no quorum was present and no PBC business was discussed.

PBC Membership Mr. Joyner, an engineer specializing in HVAC design with whom Mr. Scarlata had worked on several construction projects, expressed his interest in becoming a PBC member after a briefing on various projects and the time commitments involved. It was unanimously voted to recommend to the Board of Selectmen that Mr. Joyner be appointed to fill the expired term of James Cummings to April 30, 2010.

Police Station Report Mr. Melnick and Mr. Scarlata both served as members of the Town's Blue Ribbon Committee to review the design parameters and previous conclusions which formed the basis of the 2007 Annual Town Meeting and Special Town Meeting articles for construction funding of a new Police Station adjacent to the Fire Headquarters. Mr. Braun had served as the Chair of the Committee and had reported the Committee's finding to the Board of Selectmen which will be prepared as a written report. Mr. Melnick explained the process and noted that the Committee's conclusion was to build a smaller reconfigured building of 14,500 s.f., estimated at a \$6.5 million FY08 cost to which a 6% escalation factor would be added yearly for future construction. No article was submitted for inclusion in the 2008 ATM for funding of design services or for construction services. It was agreed to compensate Mr. Carell \$9,000 for his services to the Committee.

School Projects - Curtis Ms. Jones informed the Committee that the Curtis Science Room HVAC project had been completed successfully and the DCAM evaluation had been submitted by Mr. Kupszewski, School Facilities Director, with input from BLW Engineer Bill Scanlon.

School Projects - SBA Ms. Jones informed the Committee that she had completed the SBA audit forms and supplied all data required for reimbursement from the State for each of the three schools: Curtis, Haynes, and Loring, except for the bonding data submitted by the Finance Director. Although some of the bonding costs were disallowed, after due consideration the Town decided that it was in its best interest not to appeal the decision. Some of the disallowed project costs, however, were appealed to the State and Ms. Jones, accompanied by Town Counsel, met with the audit team prior to the final decision. Some of these were disallowed on appeal, principally because of a ruling that unless the work was previously contracted, no bills beyond one year after occupancy were allowed. In the case of Curtis, this meant that a major portion of the site work was not approved for reimbursement.

Other Projects Mr. Melnick is the Committee liaison to the Town's Historical Commission (HC) which is undertaking structural design work at the Hosmer House with a structural engineer who has volunteered his services. Ms. Jones is working with the Building Inspector in preparation of bid documents for the HC project at the Loring Parsonage involving a replacement cedar shingle roof and clapboard replacement at the rear and east side of the building. Mr. Scarlata will be meeting with the Fire Chief in regard to roof work at the No. Fire Station proposed under the Capital Budget. Mr. Scarlata will also be speaking with Park & Rec Director Dennis Mannone regarding a possible feasibility study for the Fairbank facility.

DPW Project Mr. Melnick is working with Town Counsel to resolve the DPW building issues. In furtherance of this goal, it was unanimously voted to authorize Town Counsel to commit project funds in furtherance of resolving through litigation or other means the DPW issues with the bonding company and/or the equipment manufacturer.

Mr. Melnick informed the group of the initial meeting with the bonding company noted above wherein the counsel for the bonding company (Hinshaw) agreed to proceed with an investigation of its own for which it commissioned Vertex Construction Services to perform. After completion of its investigation, Hinshaw denied all of the Town's claims, but stated they were not claiming the balance of funds remaining under the contract. It was noted that the Town had claims to these funds for various defects or reimbursements due and had fully intended to retain those sums in any case.

Mr. Melnick reported that a second meeting was held with the architect and VP Engineering to discuss additional testing to be performed. However, as VP had been initially commissioned to perform testing by the architect and might be perceived by the bonding company to be not sufficiently independent, it was decided to hire other companies to perform testing. Mr. Melnick has scheduled a smoke test and is proposing an infra-red analysis. Town Counsel intends to hire Wiss, Janney, Elstner Associates, Inc. (WJE), represented by Mr. Wagdy Anis, a specialist in air barrier and air quality issues, at a sum not to exceed \$4,000.

Mr. Melnick has also suggested that the Town, through the Building Department, make application to the State for various energy grants which might be available to aid in achieving resolution.

Meeting Schedule The next meeting will be called by the Chair, as necessary.

There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Elaine L. Jones