

**PUBLIC BUILDING COMMISSION – Meeting Minutes**  
**Wednesday – September 2, 2015**  
**Regular Meeting**  
**7:00 P.M. – Council Chambers, Town Hall**

Members Present: Mr. Mark Nash (Chairman)  
Mr. Edward Hill  
Mr. Art Crooker  
Mr. Richard Clavet  
Mr. Jim McKenney  
Mr. Steven Durkee  
Mr. Richard Levy

Members Absent: Mr. Vincent Robitaille

Additional Present: Mr. Dan Marseglia, Cheshire Public Schools  
Mr. George Noewatne, Public Works  
Dennis Rioux, BL Companies  
Jimmy Sima, Town Council  
Vincent Masciana, Board of Education  
Mr. Keith Goldberg, Arcadis  
David Gavin

**PLEDGE OF ALLEGIANCE**

The assembled group recited the Pledge of Allegiance.

**ROLL CALL**

Chairman Nash called the meeting to order at 7:00pm. Roll was called and a quorum determined.

**PUBLIC ADDRESS**

There was no one from the public who wished to address the Commission.

## **GENERAL CORRESPONDENCE**

There were no general correspondences addressed.

## **TOWN ATTORNEY LEGAL ISSUES**

There were no Town Attorney legal issues.

## **MONTHLY FINANCIAL STATUS**

Commission members reviewed the monthly financial status report of open Town projects.

## **CONSENT CALENDAR**

*Motion by Mr. McKenney to approve the consent calendar without the three invoices from Arizon (Application2, 06606 and 06617) on the Cheshire Pool Dome project in the total amount of \$894,135.60 and one invoice from Diversity Construction Group on the CHS Locker Room project in the amount of \$150,236.00. Seconded by Hill and passed unanimously.*

## **UTILITY TUNNEL IMPROVEMENTS**

Mr. Crooker reported that Geolnsight will continue monitoring the utility tunnels until June 2016. Mr. Marseglia reported there was an inspection on July 23, 2015 and is still awaiting the inspection report.

## **CHS SPORTS LOCKER PROJECT**

Mr. Hill reported this project has had some interesting challenges that have caused delays and the need for additional money to be spent to remediate the issues. Mr. Hill reported the discovery of a brick in the sewer drain pipe. The cost to camera and remove the brick was approximately \$5,000.

*Motion by Mr. Hill to approve the change order for additional floor patching, not to exceed \$2,860. Seconded by Mr. McKenney. Mr. Nash opened the discussion. Mr. McKenney asked Mr. Noewatne and Mr. Rioux to weigh in. Mr. Rioux reported the flooring company did the job they were asked to do and in the process, paint and*

previous patching was removed from the floor causing the need for additional patching. Mr. Rioux stated the money spent on additional patching will be money well spent. There was a discussion about the appropriateness of the change order, the pre-construction condition of the floor, the amount of money that has already been given to Diversity for the floor and other flooring options. *The motion was returned to a vote and passed unanimously.*

*Motion by Mr. Hill to approve the request for payment from Diversity Construction Group in the amount of \$150,236.00, which amount has already been approved by BL Companies for payment. Seconded by Mr. Crooker and passed unanimously.*

*Motion by Mr. Hill to reject change order 9 for storm/sanitary sewer and change order 11 for DCG sanitary and to approve change order 10 (no money) for the ceiling change. Seconded by Mr. McKenney and passed unanimously.*

There was a brief discussion about when the ramp will be poured, the expected date of delivery for the lockers and the expected completion date for the entire project.

## **POOL COMMITTEE**

Mr. Nash asked Mr. Goldberg for an update on this project. Mr. Goldberg respectfully declined. Mr. Nash reported that as of tonight there was steel on site and the fabric membrane has been manufactured and is ready to be shipped, but delivery is being held to prevent damage. Mr. Nash reported Arizon is addressing an issue that arose with the original anchor design for the foundation. The new rock anchors are being manufactured and treated locally which will expedite the process. Mr. Goldberg explained this issue arose once the core drilling and soil testing were completed. The change to a rock anchor caused a change in the subcontractor for Arizon and created a delay. Mr. McKenney asked how Arizon was not aware of the soil conditions prior to this becoming an issue. A discussion ensued.

David Gavin, 255 Sorghum Mill Road, former member of the Pool Subcommittee (now dissolved) addressed the Commission about the previous soil test. Mr. Goldberg clarified the previous soil test was only performed on the perimeter of the building. Mr. Gavin encouraged the use of planning technology for projects which include a statement of work and a critical path. Mr. Gavin stated a building permit was the first

step, not the delivery of steel. Mr. Gavin stated he would not give Arizon any money until the approved foundation has been accomplished.

There was a lengthy discussion about the legality of withholding payment, the details and possible flaws in the contract itself and what next step should be taken in the Town's best interest.

*Motion by Mr. Nash to pay the three invoices from Arizon (Application2, 06606 and 06617). Seconded by Mr. Crooker. After a brief discussion, the motion carries with a 5-2 vote. Nay votes from Mr. McKenney and Mr. Durkee.*

Mr. Nash reported a proposal from Arcadis was received to extend management services on the Cheshire Pool Dome project. Mr. Hill stated Arcadis has gone above and beyond on this project, but has some questions about how much of the need for additional services and continued representation was caused by Arizon's lack of expertise. Mr. Goldberg confirmed Arcadis is keeping track of the additional time and expense on this project. Mr. Noewatne stated the Town Attorney asked the PBC to table approval of this request until next month. A lengthy discussion ensued.

*Motion by Mr. McKenney to table this matter. There was no second. The discussion continued. Mr. McKenney called a point of order. The motion to table failed.*

Mr. McKenney asked Mr. Goldberg if the project would stop if the change order did not get approved tonight. Mr. Hill asked Mr. Goldberg if Arcadis needed the change order to be approved tonight. Mr. Goldberg stated Arcadis will continue to do what they've been doing on this project.

Mr. Sima stated no one on the Town Council has asked, nor intends to ask the Town Attorney to go after Arizon for back charges. Mr. Sima stated the goal of the Town Council is for this project to be completed without confrontation.

*Motion by Mr. Hill to approve the continued retention of Arcadis in their role on this project for no specific amount, in deference to the Town Attorney. Seconded by Mr. Durkee. Motion passed with one abstention by Mr. Levy.*

Mr. Nash asked Mr. Noewatne to encourage the Town Attorney to address the issues quickly out of courtesy for Arcadis.

### **DISTRICT FLOORING REPLACEMENT**

Mr. Marseglia thanked everyone involved in this project. It was a good project that created healthier school environments which are now easier to maintain. This project can be taken off the agenda.

### **DISTRICT SIDEWALK, CHIMNEY & MASONRY REPAIRS**

Mr. McKenney reported to his knowledge this project is completed. Mr. Marseglia stated this project was well done and he is grateful to Mr. McKenney and Mr. Hill for their hard work and to the Town Council for the appropriation.

### **DISTRICTWIDE ROOF REPAIRS AND REPLACEMENTS**

Mr. Clavet reported there have been some delays on this project due to weather and equipment failure, but with only three days of work left, Mr. Clavet hopes this project will be completed by the end of the month.

Mr. Clavet reported the Town Council approved \$40,000 for Phase II of the ice melt system. *Motion by Mr. Clavet for the PBC to award the contract for Phase II of the ice melt system to New England Masonry. Seconded by Mr. Nash and passed unanimously.*

Mr. Marseglia thanked Mr. Clavet for his commitment to this project. Mr. Marseglia stated Mr. Clavet took this project further than he expected and he is grateful for Mr. Clavet's hard work and dedication.

### **EMERGENCY SHELTER GENERATORS**

Mr. Noewatne stated the RFP is ready and will go out after the holiday weekend.

## **CHS BATHROOMS AND CONCESSIONS**

Mr. Nash reported the Town Council is looking at different ways to fund this project. Mr. Nash noted none of the four proposals independently satisfy ADA requirements. This project is in on hold pending action by the Town Council for further funding.

## **SENIOR CENTER BASEMENT**

Mr. Noewatne reported in Mr. Robitaille's absence that the RFP approved by the Town Council and the PBC will go out pending minor changes by the Building Official and Fire Marshall.

## **DISTRICTWIDE LAVATORY IMPROVEMENTS**

Mr. Noewatne stated the RFP is ready and will go out after the holiday weekend.

## **NEW BUSINESS**

*Motion by Mr. McKenney to table review and discussion of the PBC Guidelines until next month's meeting. Seconded by Mr. Clavet and passed unanimously.*

## **ADJOURNMENT**

*Motion to adjourn by Mr. Clavet at 8:22 pm. Seconded by Mr. Crooker and passed unanimously.*

Respectfully submitted,

---

Karen Gill