

Town of Hull
Building Committee Meeting
Thursday, August 3, 2006

In attendance:

Cathy Bowes/Committee Member
Paul Dunphy/Committee Member
Bill Dwyer/Committee Member
Patrick Finn/Committee Member
Jay Meschino/Committee Member
John Reilly/Committee Member
Charlie Ryder/Committee Member
Dr. John Silva/Committee Member
Jim Tobin/Committee Member

Debbe Bennett/Support Staff
David Twombly/Support Staff
Jim Lampke/Support Staff
Peter Lombardo/Support Staff
Scott Dunlap/Ai3
Troy Randall/Ai3
Eric Lowther/PMA
Tom Gould

Absent:

Paula Delaney/Committee Member
Chris McCabe/Committee Member
Kevin Richardson/Committee Member

The Building Committee meeting was held in the Selectmen's Office at Town Hall, and the meeting was called to order by John Reilly at 7:30pm.

1. **Approval of Today's Agenda:** The Committee approved the agenda without exception.
2. **Approval of Minutes:** No minutes for approval this evening.
3. **Punch list Oversight Services:** Tom Gould informed the Committee that he was surprised this week when the electrical contractor came back and is doing actual repairs. He said they started today after they were in yesterday getting a lay of the land. Hermes has been back and is not doing anything amazing but says they will get some work done. The construction trailer was emptied this week and can be taken away. Tom Gould stated 100 more items were taken off the punch list this week with more to do tomorrow. The front walkways had a height engineering problem but that is back on track and will be squared away next week. The fire protection contractor is on site. Tom said he thinks the architect and engineer have approved 800-900 punch list items. He has looked at at least 1,000 and the contractor thinks they have completed 1,200. However, the bottom line is, the architect and engineer take it off the list. At this point, they are half way through the project.
4. **Architect Report:**
John Reilly asked Troy Randall to comment. Troy Randall stated one additional report was issued today for the Committee and it handed it out. Troy Randall stated a majority of the items are related and there is a meeting on Monday to review several hundred more.

John Reilly asked Troy to continue with the Architect's report.

- **High School**
 - **USF&G proposal to cap the existing chimney**

Troy Randall said there is a high school proposal from USF&G to cap the existing chimney. He said if the Committee recalls, last October the Committee was going to cap that abandoned chimney since rainwater was getting inside and the IDF closet is adjacent to it and the water is coming into it. The proposal is to cap it with a membrane cap and metal edge perimeter. There are two proposals, one from Silktown Roofing to install membrane and woodwork and the other for masonry (Empire) to finish off the top of the chimney in order for Silktown to fasten their blocking to. The masonry is in very poor condition and therefore they are not able to connect the new membrane to it. The mason will need to take off 3-4 courses. John Reilly asked if some of the chimney was already removed. Troy Randall said yes the top 6 ft were removed. John Reilly asked why they stopped. Troy Randall said the masonry work is needed because of the condition of the existing masonry and they need to make a solid top to fasten the blocking to. John Reilly asked why leave 9 feet of chimney in place if it is in poor condition. Troy Randall said it was not a question of bringing it down. The chimney itself is 50+ years old and is in bad condition. They need the masonry at top to be solid, if they went down more, it would still be in poor condition for this work. Troy said the chimney will stand, but you just can't fasten anything to it. John Reilly asked if it make sense to bring it down even further, and asked why keep it 9 feet above the roof. Troy Randall said they could have them take it down entirely. John Reilly said we might end up with a headache or hazard ten years from now if we leave it in place. Troy Randall said it is not a question of it toppling, but they can have them take it down. Bill Dwyer suggested they get a quote to take it down. Charlie Ryder asked why this wasn't in the original proposal. Troy Randall said the top was scheduled to be repointed; there was no reason to remove it entirely during the project. Pat Finn said he can think of 15,000 reasons why it should have been removed so we wouldn't have to worry about it now. *Scott Dunlap entered the meeting.* Pat Finn asked, if it is abandoned, why wasn't it part of the plans to get rid of it. Charlie Ryder added it is only a matter of time before it deteriorates. Troy Randall said it is not a question of it is in such poor condition that it is a hazard. The question now is because of the water infiltration whether to cap it. Troy added if the Committee wants to remove it entirely, that is your decision. It is not typically done -- to remove it entirely. Troy Randall added this cost would have been paid for if it was done during the project; it is not something you are getting double charged for. Pat Finn asked if the Committee paid Pete's Painting already to take some of it down. Troy Randall said during the project the masonry was taken down 6 feet. Later in the project a sketch was given to the previous Owner's Rep. to price out having it capped but he doesn't know where that went. Pat Finn said he

knows the OR was getting bids from masons around \$30,000 to do that (taking down 6 feet) work and Pete's did it for about \$6,000. Pat Finn said that is what we pay you guys for, to look ahead.

John Reilly asked what the Committee wants to do. **Bill Dwyer made a motion to get a price quote to dismantle the chimney and bring it down to roof level or 2 ft. above and cap it. Cathy Bowes seconded the motion.** Charlie Ryder asked if this would be more or less expensive to do. Troy Randall said it would be more expensive. Jay Meschino said he thinks it is better to take it down now and eliminate it as a future problem but this seems like a lot of money and asked if there were multiple bids. Troy Randall said this is from USF&G and Vertex and originally they thought it sounded like a lot but after them (USF&G and Vertex) describing the work, Ai3 doesn't think it is too much because it requires staging. The staging is most of the cost due to the location. It was noted the motion is to get a quote to dismantle the chimney. Pat Finn asked if we are we stuck with them now that we made a deal with the bonding company and they are assuming the role of the general contractor and put it in a Change Order. Troy Randall said this was not part of the original contract and the town could do it as a separate item. Pat Finn asked if this could slow down the roof progress. Troy Randall said no, this is independent of the roof. Troy added this is the simplest, most cost effect way to fix it by capping it with a membrane roof. It does not have anything to do with the roof. **All approved the motion.**

- **Punch list review update:** Discussed earlier on meeting.
- **Memorial School:**
 - **Change Order #1 & #2:** Troy Randall distributed Change Orders to the School Building Committee for the Memorial School. He said about two weeks ago they informed the Committee there would be changes -- additions and subtractions -- to the Memorial School work. Oasis Environmental provided a report that served as the basis for the information and scope of work for the Memorial School project. Oasis has since been hired to conduct the testing during the project to make sure Cousins Construction is doing the work correctly. As they move through the project and the general contractor is exposing some of the walls, they have identified areas that need more work and others that don't need as much. The first Change Order was approved by the sub Committee and they are not asking for direction on it tonight. Change Order #1 is in the amount of \$1,575 and is for a cedar breather for the clock tower which is an enhancement to the application of the membrane and wood around the clock tower that will add to the life of that product.

Troy Randall said Change Order #2 does need direction. They have gone through and placed the correspondence relative to the Change Order with it and some are

additions and others are credits. Troy noted on the second page there is an email from Ai3 detailing exactly what has changed. The last page contains the general contractor's pricing for each item. The total for Change Order #2 is \$10,147.00.

Troy Randall said they did recently receive correspondence from Cousins. Oasis has identified two more areas that require additional work that is included in Change Order #3. The work is in room 140 and in the student dining area. The cost for removing and replacing the oak paneling and sheetrock in student dining and room 140, as well as the clock tower face totals \$10,708.00. Troy said Change Order #3, needs direction from the Committee. Ai3 has reviewed the costs and recommends approval.

Troy Randall added, on a side note, Cousins Construction has moved very quickly through this process and on good faith has proceeded with much of this work. Their intent is to finish by September 1 at Memorial School and they have not asked for any time extension related to these changes. *Paul Dunphy made a motion to approve Change Orders #2 and #3 as presented. Dr. Silva seconded the motion.* John Reilly noted they would have to check with Town Manager on the available budget. Troy Randall said the current value of the Memorial remediation is \$180,130.

He stated in discussions with Cousins and the town's group, after the Fire Department simulated a rainstorm, it is their opinion that the east side needs to be waterproofed. They are trying to find out from Pete's Painting how he applied the original product. It appears that an additional coat of waterproofing needs to be applied. Troy stated you are probably looking at around \$10,000 for that face but they don't have a solid number.

David Twombly said another related expense would be a bill for the four or five dehumidifiers, required by Oasis and that bill would be coming forward. John Reilly told them to make sure they don't exceed the budget. Troy Randall noted Oasis will be submitting a bill also and that will be forwarded to the town.

Jay Meschino asked about Change Order #3 and the e-mail from Cousins. He asked if the total of that error is \$10,000. Troy Randall said that is the difference of the line items of Change Order #3. Troy said it is broken down into sections, the error is the \$3,192 and the last item is \$7,516. *All approved.*

- **Exterior Masonry Waterproofing:** Discussed earlier during the meeting.
- **Jacobs School**

- **Project Construction sign:** Troy Randall said earlier this week Ai3 distributed the construction sign and he handed out a modified version of it for the Committee to make additional modifications. Charlie Ryder asked if the principal should be included as support staff. Cathy Bowes noted we have an interim principal until January. Troy Randall noted this is just the construction sign, not the plaque. It was noted that Ray Joyal should be included. Paul Dunphy asked if there would be a new appointee to the Committee. John Reilly said that will be in September. John Reilly suggested they put a phone number for a contact person. John Reilly suggested PMA be listed as the contact. Cathy Bowes requested Catherine instead of Cathy, Bill Dwyer requested William instead of Bill. Pat Finn asked if it should be in alphabetical order. *Dr. Silva made a motion to approve the construction sign with the noted changes. Cathy Bowes seconded the motion. All approved.*
- **Application for Payment #1:** Troy Randall noted during the last meeting they distributed payment requisition #1 from TLT for the Jacob School and it is just for the bonds required for the project. Ai3 would recommend payment of application #1. It was noted it would be covered under fiscal report.
- **Other:** John Reilly stated at the last meeting they requested a change to the retaining wall at Jacobs School. Troy Randall said they were unable to turn that around in a week's time but they will have it at the next scheduled meeting. Paul Dunphy said he is happy they are looking into it. Scott Dunlap noted the decision for the wall was made with Hull Light and Fire and there are site drainage implications if the retaining wall is modified. Paul Dunphy said he would like the Police Chief to weigh in on this too. Troy Randall was asked to have it for the next meeting. Jay Meschino asked about moving the transformer. Troy stated that is a significant change. The safety access is on the café side and they requested the retaining wall so it was not a dead end and it was a necessary design adjustment because of the underground drainage. Jay Meschino asked if this is affecting the transformer. Troy Randall noted they are getting access to the transformer from the student dining and receiving area. John Reilly asked what the access road is for. Peter Lombardo said his understanding was the access on the other side was for access to the transformer. Scott Dunlap said they originally did not have access across the back and the retaining wall was designed as a result of the meeting with the Town's safety officials and they decided they wanted that access. John Reilly said if the departments sign off, you might not need the access from that direction. Jay Meschino noted you have the playground there. John Reilly recommended Ai3 discuss it with the Police and Fire Departments as well as Hull Light. Scott Dunlap stated the other issue that came up was drainage, if you do not build the retaining wall, which would allow surface water to drain. If the retaining wall is eliminated, you will have to put a catch basin on each side of the addition and tie it into the drainage system. If those catch basins are not

cleaned routinely, it would be a significant issue because water would be able to enter the building. John Reilly said it is still worth looking into. Perhaps at the next meeting Ai3 can come back with a couple different options. Pat Finn asked what the current plan for drainage is. Scott Dunlap said now the plans allow water to drain all around the building so if there is an unusually large amount of water, it will flow out to the playfield or if you get an unusual amount of water on playfield side it can go around the building and it is not relying on the catch basin system. But if you build a barrier and get heavy rain on either side, particularly on the café side, there is nowhere for the water to go so you will solely be relying on the catch basin system which could result in the water getting in. John Reilly noted they have had problems with drainage on Christine Road and that may help alleviate some of it.

Charlie Ryder asked if vehicular access would be needed to the catch basins. Troy Randall stated there is access around the student dining side. Charlie Ryder asked if the fencing could be placed directly on the retaining wall itself. Troy Randall said yes, the fence is currently planned to be located on top of the retaining wall. Pat Finn said it is interesting to hear the original design did not include the retaining wall and it was added by input from the public safety people. He noted that Ai3 only makes changes that are forced on them. Scott Dunlap said he is not trying to defend the retaining wall decision, he is just trying to relay the history of it. There are negatives and positives to it. Scott Dunlap added you never really want to bury a building underground and that is because ultimately if you place a wall against moisture, it is just a question of how long it will be before it infiltrates the building. There are a lot of negatives both ways.

George McCullough of Park Avenue said three weeks ago we were assured there were no changes to the back part of the building. We have since learned that the access road was put in and the retaining wall was put in there. This is all invasive to the abutters. We also think the building was moved back, and were assured the building was not moved back. That is the only point he wants to make. John Reilly said he hopes that everyone is happy on the 17th. He added what we can do, we will do.

Bill Tramontana told the architects that the land between 1 and 3 Battery Road looks like it is level with the road but it is not. He noted the work is close to that property line. He said he doesn't know if the architects have been back in the bushes but there is a slope there that could be an issue when the retaining wall is installed. Obviously you need something in back of it to hold it up and there is a drastic decline in the hill. Scott Dunlap said they could take a look at it. He said if the concern is that the retaining wall will not withstand forces, that is not a problem. Or, Scott asked if the concern is that it will affect the drainage issues on the other side. Scott Dunlap said they would make sure Crowe looked into that.

John Reilly asked Scott Dunlap to get back to the Committee on the 17th with that info. Bill Tramontana said it is a valley and you would not know about it unless you went into the woods and he did not know if the architects were aware and had been back there.

5. Owner's Project Manager Report:

Eric Lowther of PMA distributed a Monthly Status Report to the Committee. Eric said they prepared a one-page report that shows how the project picks up steam. The first item is the NTP, which was issued on July 19. The mobilization and trailers set up have taken place but he doesn't believe the power has been brought to them yet. They will be doing the survey controls and the miscellaneous site demo has already begun. They dealt with some loom this week and prep is underway. Fabrication of some items is also underway.

Eric noted the next section is a portion of the TLT 90-day preliminary schedule. This details all the work they forecasted for July. The line vertically on the schedule graphic indicates they assumed the NTP would be issued June 23 but that did not happen until July 19 but TLT has maintained this schedule. A quick look at the contract schedule of phase #1 has 434 calendar days and with the July 19 NTP brings the completion to September 26, 2007. TLT's preliminary schedule reflects a June 26 NTP date and 402 calendar days for completion, making completing August 2, 2007. Eric noted it looks like TLT is doing what they can to help with our problem and thus far the phase is shorter than in the contract documents. The contract allows for 15-17 days for the phase swap for the school and he thinks a day or two were added because it fell on a Saturday. Eric Lowther stated he thinks they will accomplish the site work before the switch and they maintain the same contract duration. Eric Lowther said basically, the NTP was issued 89 days late and TLT's preliminary schedule reflects a June 26 NTP date. PMA expects an updated schedule from them on August 25 and at that time they will get details of how that affects the project. Eric Lowther stated the Project Key Plan represents the building additions and identifies the existing structure. He said the TLT Planned Cash Flow was submitted on July 28 and phase one is at \$10,000,700. This cash flow is preliminary and TLT's best guess and they will get a more accurate idea of when the dollars will be spent. The last section of the report is the Work Forecasted by TLT for August 2006. This represents what work TLT expects to be undertaken during August. Based on the schedule, the excavation and footings should have begun but that has not happened yet.

Charlie Ryder said in terms of mobilization and powering up, he assumes the construction company has a separate electric meter from the electric company. David Twombly said they do not have one yet but he will make sure they have a separate meter.

Pat Finn stated the NTP was issued 89 calendar days late and asked how is this going to affect us if the project is not done on time as far as their rights under the contact. He

asked if there would be a time delay or extension. Eric Lowther said he would like to withhold comment until PMA gets the new schedule submissions from TLT. At that point, the schedule should be clearly established. Pat Finn noted, based on the preliminary schedule, it looks like they are trying to keep on our original schedule. Eric Lowther said that is correct.

Paul Dunphy said there are two letters in the packet from TLT to sub contractors regarding their contract requirement for performance and payment bonds. He asked if that means they are on the bubble. Eric Lowther said he is not familiar with it, he has not seen them. Scott Dunlap stated that is a standard letter telling the subs that TLT requires a performance and payment bond and if they are not going to provide it they will bump them out. Paul Dunphy said the OPM should get copies of these types of correspondence. Scott Dunlap said they are still trying to get TLT on board with items like this. Pat Finn asked if the OPM is site every day. David Twombly said he is there every day. He has a trailer with no power but has a phone and a laptop.

6. Fiscal Report:

- **Warrant #421** was presented to the Committee containing three invoices from Architecture Involution for the High School project totaling \$10,537.43.

One invoice in the amount of \$3,723.13 for services relating to the roof investigation/replacement at the high school. This will be added to the back charge list. One invoice in the amount of \$94.30 for reimbursable expenses regarding reproduction of drawings, specification, and other bid documents, as well as postage and delivery. One invoice in the amount of \$6,720.00 for services performed at the high school from July 1, 2006 through July 31, 2006. This invoice will be added to the back charge list.

Pat Finn questioned the invoice for professional services related to the roof investigation for a total of 18.5 hrs at \$175 per hour. He said he is just curious how this is shaking out with the roof. The lawyers have been going back and forth and questioned why we are going to pay additional money because of the roof. Scott Dunlap said you are not paying to investigate why it blew off, you are paying to make sure Vertex did what they were supposed to do. The structural engineer is looking at your best interest and all of which is back chargeable. Pat Finn said he knows Ai3 is honorable but he is concerned about this sticky situation and any finger pointing. Pat said what if the bonding company is claiming it was a design issue and not Jackson's fault. Pat said that is what he inferred from Mike from Vertex and he is concerned the Town of Hull does not have a project manager overseeing the roof work and doing the things that Frank MacDonald used to do, so who knows what is going on. Scott Dunlap said there are two issues. If you do, in fact, want someone on site observing construction as it is being installed, he thinks you have that with Mr. Gould. The second issue, you have Bob Garrity knee deep in and he has been through every

document and every detail. During the last couple of weeks, Mr. Garrity's work has intensified. Scott said Mr. Garrity is looking into all those issues on your behalf. Scott Dunlap said regarding Vertex and the design issues, the roof on the gym was not installed per the design documents. Ai3 identified this early on and although there will come a point where the bonding company will point at everyone, Bob Garrity is completely comfortable that the Town is in very good position and that the installation did not comply with the design documents. Pat Finn said maybe there is a problem with the design documents. Pat said last week Mike (Vertex) said there were issues with the materials in the specs; specifically the use of OSB board, which warps. He told Pat that is a material that was phased out ten years ago. Pat Finn said now you are talking about drilling holes through the roof with toggle bolts but we want a new roof that is fully warranted. Pat Finn said if you are making the engineer compromise with Vertex, that is not in the best interest of the Town. Scott Dunlap said there has been a lot of hearsay about the new roof and the original specs. He explained that the entire high school building had a gypsum deck originally. It is completely fine if you have a gypsum deck to take the old roof off and fully adhere the insulation and install a new roof to it. The reason we do it that way is because the gypsum is a relatively soft material and the pullout ratio on the screws is not enough to hold so it was designed for an all-glue-down system. When that was not installed correctly and all the gypsum got wet, then the gypsum was destroyed. The only way to do it at that point was to put down a new deck and new roof. It does not make sense to glue down to a metal deck and instead had it mechanically fastened. Scott said we did not have to do that to begin with. Scott stated those things being said about the roof are taking on a life of their own and he would like an opportunity to explain because if you don't know all the facts, it does sound like a mistake. Pat Finn said you went with all OSB instead of the high design hard board that does not warp and it warped and buckled. Scott Dunlap said there are two products -- OSB and Densdeck. The OSB has been used on hundreds of roofs in Massachusetts and the debate about which best is like debating whose brick is the best. The other product is Densdeck, but glue does not adhere as well to it. Scott said the Densdeck board does warp, but it is never intended to be exposed to moisture to cause any warping. Scott said Ai3 has documented all of this from the beginning and that is why the system was rejected and not paid for. Pat Finn said he is suggesting putting down dry OSB or the other stuff rather than drilling holes because it seems like putting a tire patch on a roof that should be new. Pat Finn said of all the things we spend money on, a new roof is the only way to go. Scott Dunlap said just like it is the general contractor, prior to the Town making the final payment to the bonding company, you will have to make a decision, along with Ai3 and the consultants if you are satisfied with the roof. Pat Finn said he is not satisfied with it or with the timing of the solution. They are backing us into a wall. He does not want to go through another winter and have another section of roof blow off. He said he wants to get it done right during the summer and not fix and patch it. Scott Dunlap said that is still possible if, ultimately, you are not happy with the solution.

David Twombly said he kind of agrees with Pat Finn. We paid for a new roof and the other problem is as we are getting towards August and hurricane season, it needs to be addressed relatively soon. If we don't like it when it is done, we can turn it down and get it done right. Pat Finn asked where our independent analysis is so we know what is the best way for us to handle the situation, he is not sure we have that information. Scott Dunlap said the structural engineer is just confirming the structure would, in fact, support the additional work. Pat Finn said this is all back chargeable but to who and when. Scott Dunlap said he thinks that is up to Bob Garrity and counsel. They are on top of that and they understand all of the issues. Pat Finn asked if we could get counsel from Bob Garrity.

Charlie Ryder said when this was turned over to the bonding company, this should essentially be turned over to them. ***Charlie Ryder made a motion to approve Warrant 421 in the amount of \$10,537.43. Bill Dwyer seconded the motion.***

Jay Meschino said last week we talked about approving that method. Troy Randall said today they received the proposed solution that was generated by Silktown and as stated during last week's meeting, there will an opportunity for the School Department and School Building Committee to be involved in the decision as well as Vertex and any other party that would have input for approval and comment. Troy Randall said since they just received this proposal today, they would be setting up a meeting quickly in order to get back to them and keep the process moving. Jay Meschino asked if it comes before this board. Troy Randall said it could. Scott Dunlap said in contractual terms, Vertex cannot pay that invoice since EDG has no contractual relationship with Vertex. ***Charlie Ryder made a substitute motion is to approve Warrant #421 subtracting \$3,723.13 for the engineer and the 15% mark up. Bill Dwyer seconded the substitute motion.*** Paul Dunphy said he understands why you want to hold on that, but what we just heard is that we have to pay it since Ai3 already paid them. Charlie Ryder said this project was turned over to the bonding company so when did this work come into affect. Scott Dunlap said this is not approved by the bonding company, it is your engineer. The structural, mechanical, and plumbing engineers make sure that the contractor is doing the right thing. EDG went out to the site to make certain that what they were doing was an acceptable solution for you. It was noted that this is what Bob Garrity needs to be negotiating and explaining to the bond company -- that we are incurring additional costs because your contractor failed to perform. Pat Finn noted the engineer did a good job because we got a much better roof as a result. Troy Randall added he was also there throughout the installation of the roof. Charlie Ryder withdrew his substitute motion. ***The Committee approved the original motion to approve Warrant #421 in the amount of \$10,537.43.***

- **Warrant #422** was presented to the Committee containing three invoices for the Jacobs School project totaling \$139,086.02.
 - Two invoices from Architecture Involution totaling \$21,104.02. One invoice in the amount of \$18,987.11 for design services at the Jacobs School. One invoice in the amount of \$2,116.91 for reproduction of drawing, specifications, and other bid documents, as well as postage and delivery.
 - One invoice from TLT Construction in the amount of \$117,982.00 covering work at the Jacobs School through June 30, 2006. This invoice is being charged to General Contractor and has been signed by the architect.

Dr. Silva made a motion to approve Warrant #422 in the amount of \$139,086.02. Bill Dwyer seconded the motion. All approved payment of Warrant #422 in the amount of \$139,086.02.

- **Warrant #423** was presented to the Committee containing one invoice for the Memorial School Project totaling \$170.44.
 - One invoice from Architecture Involution for reimbursable expenses regarding reproduction of drawings, specifications, and other bid documents at the Memorial School.

Pat Finn made a motion to approve Warrant #423 in the amount of \$170.44. Charlie Ryder seconded the motion. All approved payment of Warrant #423 in the amount of \$170.44.

- **Warrant #424** was presented to the Committee containing one invoice from Tom Gould in the amount of \$3,920.00 for punch list oversight services for the high school project. *Charlie Ryder made a motion to approve Warrant #424 in the amount of \$3,920.00. Paul Dunphy seconded the motion. All approved.*

6. **Town Manager's Report:** None this evening.

7. **Superintendent's Report:** None this evening.

8. **Old Business:** None this evening.

9. **Additional Report:** None this evening.

10. **New Business/Submission of Agenda Items**

Commercial Bidding Limited: Pat Finn said since we brought up Frank MacDonald's name he believes there was an unpaid warrant for Commercial Bidding Limited and he is curious

what happened to that and if there is any litigation. Jim Lampke said he is not aware of any litigation and thought there were going to be a few representatives of the Committee that were going to discuss it and make a recommendation to the Committee if it should be approved. He said he has not been involved with these bills. John Reilly said he would try to get some information about that for the meeting on August 17.

Jacobs School site location: John Reilly said last week we had a discussion about the Jacobs building growing. John Reilly said several people looked at the building site plans and conceptual drawings. The drawings prepared in 2000 were conceptual, not actual. Scott Dunlap stated we did not have final construction documents until 2006 and in 2000 we had design development documents that were developed far enough to satisfy the State. Scott said in regard to Troy's response about the building location, he was asked if the back of the building changed and Troy said no because we did not move the building further from or closer to the back property and we can compare the old and new documents to show that. Scott said the retaining wall and other things got added and they are not attempting to hide anything. John Reilly asked him about the rear footprint. Scott Dunlap said the prior footprint of the building has not changed since the design development documents done in 2000. The front did change due to the addition of administration. Mr. McCullough said it (the rear) looks like it has moved 15 feet. He has two drawings and there is a difference on the two plans of the building. Scott Dunlap said this (Mr. McCullough's document) looks like a conceptual drawing and you can't apply dimensions to a conceptual drawing. Scott said he could assure him that no one ever used this particular drawing because dimensions would not be placed on a conceptual drawing. Mr. McCullough said this is the only thing that the Town Manager had. Mr. McCullough said nobody could be off that much even if it was a manual drawing.

Scott Dunlap said the other point he would like to make, on behalf of the School Building Committee, is that during the site design phase of the Jacobs School the Committee had repeated public meetings where we talked about site layout, clearance, set backs, etc. All these things were talked about publicly, particularly when the administration piece was added. The drawing presented here for the construction documents show the retaining wall etc. The drawings presented when the Committee decided to hold another public meeting on construction document phase. Scott said he appreciates the fact that maybe it wasn't clearly understood or assumptions were made, but to suggest there was not an open process is untrue. A Saturday meeting was held about the site plan and a lot of time was invested in order to accurately present what was being proposed. Scott said at the time he felt the Committee was being overly intensive with the number of times it was presented. Bill Tramontana said he has not had any communications except for that meeting and asked why what he was walked at that meeting is not what is there now. He does not believe all this homework was done. He said to Scott there were seven people present and you showed us where we were walked that day. Scott Dunlap at the end of the public meeting on the Saturday he said to the abutters who were there that he would go and walk any portion of their property. Scott said although he is not going to suggest that he remembers the exact

details of what was said, he did go to several houses to show what would be blocked and what would not. He tried to relay what was going on as accurately as possible. Scott said he told Jay Meschino that day that if the entry tower stayed in place that yes his view would be blocked. Scott said he sat with a lady and told her she would be looking at more section of roof than what she did before. Scott Dunlap said he doesn't know what anyone is suggesting but the intent of that day was to tell the abutters how the project would affect them. We reduced the tower and reduced the height of the addition. These things were not done because we told the abutters they would not be impacted. John Reilly asked if Scott went on Bill Tramontana property. Scott Dunlap said he doesn't recall that on that day he asked him to go his property. Bill Tramontana said there were seven people who were walked the proximity of the building to his home. He said Scott did come up on his porch and he did walk the property line. What was walked on that day is not what is in that project now. Scott said on that day he paced off where the building would be located. Scott Dunlap said there were two meetings held in 2000 to discuss placement of the addition. Scott said he specifically remembers telling the Tramontanas that they are going to feel like the building is closer because they have a storage building that is on school property that will have to be moved in and that will make it seem closer.

Jay Meschino said what Bill is saying is in 2005 it never got to the point where stakes were put in the property and we were told, "here is where the building will be". We all thought that the building would end where the blacktop ends. Scott Dunlap said we definitely paced the addition. He remembers specifically standing on the slope and saying that they would be excavating into this slope but we definitely did not drive any stakes that day. The only time that happened was in 2000. The intent that day to talk about the impact on abutters and walk the perimeter of the building. He appreciates that it seems much closer than people recall. It is not uncommon to talk in concept and to have a different view when the earth is moved.

Bill Dwyer said Scott's letter states that they floated balloons in 2000 to mark the new addition. Scott Dunlap said the abutters were not there on the day they floated the balloons. This was done at the suggestion of the site consultant. He staked the perimeter and floated balloons but no one was invited. Scott noted we had already had a couple of walks at that time and it was not done in response to someone asking for it.

Mr. McCullough said Scott has said the Committee knew exactly where the building was going but Mr. Reilly is quoted as saying that it looks a lot different. He said everyone was surprised by the location and how invasive it is. Apparently no one saw the balloons and everyone was shocked when they saw where it is actually going. He told Scott if you did this education, it went in one ear and out the other. Scott Dunlap said he did not say this Committee knew exactly where it was going, he said this Committee spent a lot of time informing the public. Scott said it is a significant impact and a significant excavation and it is not uncommon at all to talk conceptually and when you actually see it in the field it is different from what you perceived.

Jay Meschino said he takes exception to the contradictory statements in Scott's letter. It says the revisions made as a result of the 2005 abutters meeting resulted in an (estimated) additional cost of \$500,000. Jay said it was previously stated that the changes actually saved money and asked why it added costs. Scott Dunlap said it definitely added costs and this Committee approved those changes. The reason it is more expensive is because we had to add a second elevator to the addition because lowering the addition height changed the relationship to the existing building. Jay Meschino said he thought the ramp removal saved money. Scott said it saved floor space because the ramp consumed more space in the addition. Scott Dunlap said we definitely presented those points. Troy Randall stated they added plantings and landscaping at the rear. Scott Dunlap said if he ever did say that all those changes totaled a net savings, then he misspoke. Scott Dunlap said removing the entry tower resulted in a total redesign of the front entry and front of the building. Jay Meschino said he is almost positive that he heard that at least twice. The abutters were under the impression that the changes had a positive affect. Scott Dunlap said it did have a positive affect and if you read the minutes he might have made a statement about the changes made as a result of the abutters meeting having a positive affect. The reason being, that in the end when the modifications were made they were very satisfied with what it did to the library media center. This was a positive thing for the project but they never meant to suggest it was a cost savings.

Bill Tramontana said seven people were present for the walk through, so are you saying they are all not telling the truth. He said they are not the ones deceiving the town. Scott Dunlap said he specifically remembers saying that they would be excavating into the hill. He specifically remembers standing there and saying that excavation would done. Bill Tramontana said well the other seven people do not remember that. Bill Tramontana said they were done wrong and were shown something else and you all should have known. Cathy Bowes said we were told this building was the largest and it is a big addition. She clearly recalls hearing the statement that it will cut into the hill. Jim Tobin said he also remembers hearing it would be cut into the hill but he went up to the property and he was surprised that it was cut so far into it.

High School front entry: Pat Finn questioned the work being done at the high school front entry and if what we are doing there is raising the road and pulling up curbing. If they are pulling up curbing, it is an opportunity to go with granite curbing. Troy Randall the entrance was not installed per the documents and they were working to get As Builts from the general contractor. A plan was put together that meets the ADA requirement, which essentially replicates the design documents. CTA is in the process of implementing that. Pat Finn asked if it would raise the road. Troy Randall said yes and everything will match into the cut locations. They are taking up the precast curbing and if the town wants to put in granite they can direct the contractor to do so. Troy Randall said it is not a lot of work, 60-70 feet at the main entrance area and probably the same at the library. Troy stated there would be an additional cost because you are putting in a higher quality material. Pat Finn said the Town could supply the granite curbing because there is plenty excess stored across from the

Town of Hull
Building Committee Meeting
Thursday, August 3, 2006
Page 15

sewerage plant or the Town Manager could ask the highway to extend it. Troy Randall said he is sure CTA would do the work if asked to. Pat Finn said it needs to be done quickly. Troy Randall asked if that is the direction of the Committee. John Reilly said he would want to talk to the Town Manager to see what resources are available. Troy Randall said they would be doing that work in the next week. John Reilly said he would call on Monday.

Jay Meschino made a motion to go into Executive Session for the purpose of discussing strategy for possible litigation. Pat Finn seconded the motion. It was noted Mr. Garrity should be an important part of the discussion. Jay Meschino stated we should talk in general about what options we have and if it is best to wait for Mr. Garrity fine. Jim Lampke said if the board wants to meet they can discuss whatever they want to and then he can talk to Mr. Garrity. As an alternative if a few people want to meet with him separately to discuss their concerns he can pass it along to Mr. Garrity and have him be prepared to comment on it.

Dr. Silva said he is not in favor of Executive Session since we have Mr. Garrity already taking care of it and the strategy has already been made. John Reilly said he believes the issues are the cost of making the auditorium ADA compliant. Pat's idea was to explore if it was a design error then the cost shouldn't be ours. Pat Finn said we want to talk to Mr. Garrity about the roof and the auditorium. John Reilly said the Town Manager talked about that and part of it is they are looking at if there were any changes made affecting the ADA compliance in the auditorium. The Town Manager thought it would be good to run this by someone before we went to the next step. We can't just say we think you guys are wrong. Jay Meschino said the Committee members could meet individually with Jim Lampke to tell him any concerns. It was noted there is a motion to go into Executive Session to discuss strategy relative to litigation. A roll call vote was done 3 in favor (Jay Meschino, Pat Finn, Charlie Ryder) and 5 against (Dr. Silva, Paul Dunphy, Jim Tobin, Cathy Bowes, Bill Dwyer).

Troy Randall handed out Jacobs School first and second floor plans to the Committee.

Cathy Bowes made a motion to adjourn the meeting. Paul Dunphy seconded the motion. All approved. The meeting adjourned at 9:45pm.

Respectfully submitted,

Debbe Bennett
Recording Secretary