

**Town of Hull
Building Committee Meeting
Thursday, September 18, 2008**

In attendance:

Paul Dunphy/Committee Member
Bill Dwyer/Committee Member
Patrick Finn/Committee Member
Phil Lemnios/Committee Member
Jay Meschino/Committee Member
Charlie Ryder/Committee Member
Dr. John Silva/Committee Member

Dave Walsh/Committee Member
Debbe Bennett/Support Staff
David Twombly/Support Staff
Troy Randall/Ai3
Scott Libby/PMA

Absent:

Cathy Bowes/Committee Member
John Reilly/Committee Member
Kevin Richardson/Committee Member
Jim Tobin/Committee Member
Kathleen Tyrell/Committee Member

The Building Committee meeting was held in the Selectmen's Office at Town Hall, and the meeting was called to order by Phil Lemnios at 7:00pm.

1. **Approval of Today's Agenda:** *Dr Silva made a motion to approve the agenda. Pat Finn seconded the motion. All approved.*
2. **Approval of Minutes:**
 - **Thursday, July 17, 2008, Open Session minutes:** *David Walsh made a motion to approve the Thursday, July 17, 2008 Open Session minutes. Charlie Ryder seconded the motion. All approved.*
 - **Thursday, July 17, 2008, Executive Session:** *Charlie Ryder made a motion to approve the Thursday, July 17, 2008 Executive Session minutes. David Walsh seconded the motion. All approved. Jay Meschino and Paul Dunphy abstained.*
3. **Owner's Project Manager Report:**
 - **PMA Budget Report:** Scott Libby noted everyone has the handouts. Scott Libby said the job finished successfully and they are all very proud of that. There were last minute things that were needed to get school open. The forecasted work for September is the spillover work like landscape/site items that are dependent upon the weather. The hydro seeding is complete but there still are a few odds and ends to wrap up. They are focusing

mainly on punch list and there are a couple items they are waiting for delivery of material on based on the inspection requests. By the end of September they should wrap that up and a few weeks into October to wrap up the punch list. There are a few school closing and half days while students are out of the building that they will try to get in there. As of last Friday the punch list was overall about 60% complete with both phases' punch lists. That is a good sign that most of the big items are behind us. They are working on closing out the job with Jeff. They are focusing on wrapping up Change Orders and looking to get the Change Orders resolved which is for work they have already performed. A lot was done on T&M and a credit is projected. The Change Orders to date total \$187,000 but are projecting only \$170,000 for the total change orders once the credit comes forward. Only 11.8% of the total project Contingency was spent towards construction, which is amazing. We've spent .6% of the project budget towards Change Orders and if you look at Change Orders against the original construction bid, you spent .8%. He said, in the industry, if you spent less than 3%, you are doing pretty well. This is due to the tight cost controls in place with PMA and Ai3. The team environment, although at times it was stressful pushing the deadline, we are all very pleased how it ended. Scott Libby said he prides himself in maintaining tight cost controls and this is one of the best jobs in his 21-year career.

Paul Dunphy asked about commissioning. Scott Libby he is pending notice from the contractor for the final walk thru. They have been collaborating on a few minor issues that have popped up. He has reported recently that he felt the process was going well and by the end of the month would have the final walk thru. Scott Libby said based upon the plan of the contractor, that seems achievable. Paul Dunphy asked Scott Libby how he feels that initiative went. Scott Libby said there is more value if done earlier in the process. Aside from that, having a second set of eyes has helped a lot. There weren't many complications with turnover of the building. He said he is now working on a new project and is strongly advising it. Overall, the goal was achieved.

Pat Finn asked the status of the site work. Scott Libby said there are some small remaining landscape items. The area in front of the school by the curbing and guardrail, they need to remove weeds and will do that tomorrow or Monday. There were a few missing plants which was reported on the punch list. They hope by the end of next week they will wrap up those landscape items. They are still waiting for the permanent handrails, which went to fabrication when school opened and are anticipated October 1. Pat Finn said he was told the rear concrete pad is cracked. Scott Libby said that was an existing condition, which requires a milk overlay. The superintendent will take care of it on a full free day like a Saturday or school closing day. Pat Finn said he also noticed asphalt that has caved in around a light pole outside the old gym. Scott Libby said it is on the punch list.

Jay Meschino asked if we could get the Commissioning Agent to come back and give a report. David Twombly said yes he would ask him to attend the next meeting. David

Twombly added Steve has been very helpful with the balancing of the HVAC systems and the startups. If there is ever a problem, he sends an e-mail to Steve or Viking Controls and they get right back to him. Scott Libby said he also sends a letter to the contractor. Phil Lemnios asked David to arrange for Steve to attend the next meeting

Charlie Ryder asked if the landscaper filled in the post holes. Scott Libby said yes, he was told it was completed.

4. Architect Report:

- **Jacobs School**

- **TLT Application for Payment #26:** Troy Randall presented TLT Application for Payment #26 for the month of August in the amount of \$467,191.81. He noted it has been previously approved by the sub committee last week. He stated it was reviewed with PMA and TLT and they would recommend approval of the requisition. *Dr. Silva made a motion to approve the application for payment as presented. Pat Finn seconded the motion. All approved.*
- **Phase 2 Certificate of Substantial Completion:** Troy Randall informed the Committee they have five copies of the Certificate of Substantial Completion for the phase 2 portion of the project for execution by the School Building Committee chairman. Then they will need to get TLT to execute it. Phil Lemnios asked for TLT to sign it first and then the Town would sign it last. Troy said he would ask them to do that. Scott Libby added they do have it for review already.
- *Ribbon Cutting:* Pat Finn asked if Ai3 and PMA would be available for the ribbon cutting ceremony. Pat Finn said he believes it is scheduled for October 16th at 4:30p. Phil Lemnios asked PMA and Ai3 to put it on their calendar and added we would be honored to have them there. David Twombly asked if someone should invite TLT. He was told, yes.

Phil Lemnios said he feels confident that the other members share the sentiment, that we are very, very happy with the services of PMA and Ai3. He said Troy and Ai3 have been with us for almost 10 years. There was a strategy to have one firm do all three schools and he remembers the committee interviewing a variety of firms. At that time, they asked us to take a leap of faith with them and it was well justified and we have beautiful buildings.

5. Fiscal Report:

- **Warrant #549** was presented to the Committee containing six invoices totaling \$39,253.25 for the Jacobs School. PMA has reviewed all of these invoices.

- Three invoices from Ai3 totaling \$19,742.69 for Professional Services (\$18,473.94), Additional Services (\$1,250.00) and Reimbursable Expenses (\$18.75), which are being charged to the Architect account.
- Two invoices from PMA totaling \$19,460.56 for Project Management Services during August (\$19,262.56), which is being charged to the OPM account and for Briggs Engineering Testing (\$198.00), which is being charged to the Testing account.
- One invoice from David Rienks in the amount of \$50.00 for videotaping/cablecast services for the August 18 SBC meeting, which is being charged to Owner Administrative.

Charlie Ryder made a motion to approve Warrant #549 in the amount of \$39,253.25. Bill Dwyer seconded the motion. All approved Warrant #549 in the amount of \$39,253.25.

- **Warrant #550** was presented to the Committee containing five Technology invoices totaling \$39,327.51 for the Jacobs School. Judi Saide has reviewed and approved all of these invoices and they are within the original Technology budget.
- One invoice for Global Data in the amount of \$3,000.00 for network engineering work.
- One invoice from Sullivan & McLaughlin in the amount of \$22,728.51 for Phase 2 cabling work.
- Three invoices from Ockers for technology hardware totaling \$13,599.00.

Dr. Silva made a motion to approve Warrant #550 in the amount of \$39,327.51. Bill Dwyer seconded the motion. All approved payment of Warrant #550 in the amount of \$39,327.51.

- **Warrant #551** was presented to the Committee containing ten Technology invoices from Computer Tech Inc. totaling \$6,177.50. Judi Saide has reviewed and approved all of these invoices and they are within the original Technology budget.

Paul Dunphy made a motion to approve Warrant #551 in the amount of \$6,177.50. Charlie Ryder seconded the motion. All approved payment of Warrant #551 in the amount of \$6,177.50.

- **Warrant #552** was presented to the Committee containing nine Furnishings invoices totaling \$20,365.00. Nancy Lohrer of ICD has reviewed and approved all of these invoices and they are part of the phase 2 FF&E bid package.

- One invoice from M.D. Stetson in the amount of \$1,464.00.
- Seven invoices from MegaMedical Supply totaling \$18,661.00.
- One invoice from Midwest Technology Products and Services in the amount of \$240.00.

Charlie Ryder made a motion to approve Warrant #552 in the amount of \$20,365.00. Paul Dunphy seconded the motion. All approved payment of Warrant #552 in the amount of \$20,365.00.

- **Warrant #553** was presented to the Committee containing five Furnishings invoices totaling \$163,153.04. Nancy Lohrer of ICD has reviewed and approved all of these invoices and they are part of the phase 2 FF&E bid package.
- Two invoices from Monitor Equipment totaling \$60,222.44.
- One invoice from Music Mania in the amount of \$5,033.00.
- One invoice from Pencils Inc. in the amount of \$88,393.60.
- One invoice from Pro-Quip Inc. in the amount of \$9,504.00.

Bill Dwyer made a motion to approve Warrant #553 in the amount of \$163,153.04. Jay Meschino seconded the motion. All approved Warrant #553 in the amount of \$163,153.04.

- **Warrant #554** was presented to the Committee containing seven Furnishings invoices totaling \$13,370.00. Nancy Lohrer of ICD has reviewed and approved all of the FF&E invoices and they are part of the phase 2 FF&E bid package.
- Four invoices from Robert H Lord totaling \$53,571.17.
- Two invoices from School Furnishings, Inc. totaling \$6,283.00.
- One invoice from Ai3 in the amount of \$13,370.00 for the FF&E Installation Management, which is being charged to the Furnishings Account.

Charlie Ryder made a motion to approve Warrant #554 in the amount of \$13,370.00. Bill Dwyer seconded the motion. All approved payment of Warrant #554 in the amount of \$13,370.00.

- **Warrant #555** was presented to the Committee containing four invoices totaling \$3,608.06 for the Jacobs School, which will be charged to the Contingency account.
- One invoice from Ecolab in the amount of \$686.74 for material required for the kitchen in order to meet the Board of Health requirements.

- One invoice from Allstate Fire Equipment in the amount of \$229.00 for K Class fire extinguishers that were required as a result of the Fire Safety Inspection.
- One invoice from North River Bus Co., in the amount of \$180.00 for shuttle buses for teachers and staff on September 2 that were needed due to the paving of Harborview Road.
- One invoice from the Hull Police Department in the amount of \$2,512.32 for police details required due to FF&E deliveries and traffic control on Harborview Road.

Bill Dwyer made a motion to approve Warrant #555 in the amount of \$3,608.06. David Walsh seconded the motion. All approved payment of Warrant #555 in the amount of \$3,608.06.

- **Warrant #556** was presented to the Committee containing three invoices totaling \$24,100.00 for the Jacobs School, which are all being charged to the Contingency account and are all related to the loan issuance fees.
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- One invoice from Standard & Poor's in the amount of \$4,931.00.
- One invoice from Edwards Agnell Palmer & Dodge in the amount of \$15,542.00.
- One invoice from Eastern Bank in the amount of \$13,045.00.
- One invoice from US Bank in the amount of \$911.00.

Phil Lemnios informed the Committee this has to do with the issuance cost of the debt for the project. He said whenever a municipality is issued debt, you are required to get legal counsel opinion to make sure all votes etc. are done properly. Standard and Poors does a rating on the issuance so they can communicate the strength of the authority (e.g. Town) to the marketplace. Eastern Bank charges for their issuance costs to pull together the package and US Bank charges for similar services. Dr. Silva asked for an explanation on the Standard & Poors bill since the invoice amount is different from the Jacobs amount. Phil Lemnios said as part of the issuance of the debt, there were other elements of non-school related debt. The total bill was \$6,400 but only \$4,931 was Jacobs School related.

Dr. Silva made a motion to approve Warrant #556 in the amount of \$24,100.00. Jay Meschino seconded the motion. All approved payment of Warrant #556 in the amount of \$24,100.00.

- **Warrant #557** was presented to the Committee containing three invoices totaling \$2,064.00 for the Jacobs School, which are all being charged to the Contingency account and are all related to the loan issuance fees.
- One invoice from Standard & Poor's in the amount of \$630.00.
- One invoice from Edwards Agnell Palmer & Dodge in the amount of \$628.00.

- One invoice from Eastern Bank in the amount of \$764.00.
- One invoice from US Bank in the amount of \$42.00.

Pat Finn made a motion to approve Warrant #557 in the amount of \$2,064.00. Bill Dwyer seconded the motion. All approved payment of Warrant #557 in the amount of \$2,064.00.

- Warrant #548: It was noted the sub committee approved Warrant 548 and the vote was accept it happened earlier in the meeting.

6. Town Manager's Report:

- *Abutter Sub-Committee:* Phil Lemnios said he, David Twombly, Peter Lombardo and Daren Sawyer met on site by the dumpster and looked at the trees there since an abutter wondered what trees were planted and what height they would grow to. Come to find out they are Austrian Pines that will grow to 60 feet, which would completely obscure the view of the homeowner without adding a residual value to the project. He said it is not serving any purpose to the project. His recommendation would be to arrange to have them moved so they don't block an abutter view since they do not serve any particular landscape purpose. Charlie Ryder asked if we would have to replace the trees to stabilize the bluff. Phil Lemnios said you might put smaller trees there but he is not sure that is necessary. Phil Lemnios said they would grow to a significant height on the embankment. David Twombly said there is a concern about the height, but you might want to replace them with another tree or bush. David Twombly said junipers might be advantageous. Phil Lemnios said he has no idea why they were picked. David Walsh said junipers are ground cover, which is different from a 60-foot Austrian Pine. Another thing that vegetation does is absorb noise where dumpsters and deliveries will be made. So a 12-foot hedge, for instance, will absorb echo and noise. Phil Lemnios asked if the Committee has a problem removing the 60-foot tree and putting something else in its place that is lower. David Twombly said he doesn't think we should take them out now because they will die. David Twombly said he would look into it but he thinks they need to stay in the ground for 6 months. Jay Meschino said it would be good to have an actual landscape professional's opinion on if it is 4 or 6 months, etc. Jay Meschino said that tree's root ball, if grown to full height, would destroy the retaining wall. David Walsh said you can get a professional and, he has talked to one, but this tree issue at the school does not go away. When you put them in the ground and then yank them back out, there is a shock that happens. Some roots go straight down and others spread out. Phil Lemnios said the first issue is if we remove them. And, if so, then when. Phil Lemnios said another question, which will require some research, is we met on the site a year ago. We walked the site with Ai3 and identified a series of trees to be moved and he would like a status report on how many were moved. Phil Lemnios said Daren had a map and made notes on it and took minutes. We went to

several abutters and moved some trees off the parking area. There was a general agreement that a variety would be moved and they were supposed to stay in the ground for about a year. If they haven't already been, they need to be moved. David Walsh said there were some that had not been planted and maybe five that were in the ground on that walk thru date that were supposed to be moved. Phil Lemnios said he thinks Daren created a plantings commentary. David Twombly said he would send an e-mail to Daren to find out. Phil Lemnios said while taking care of this problem, we should review that situation to make sure it is up to date. Charlie Ryder said it was documented on that plan just what kind of tree it was going to be so it could have been brought up then. Phil Lemnios said they never got to that end of the project.

Pat Finn said everything is going so well on this project but we just approved the July 17 2008 minutes where Phil Lemnios suggested a sub committee be established about this issue. He said these trees were planted two weeks ago, why did that happened. Phil Lemnios said they went out and met on site to identify what was planted. Phil Lemnios said the sub committee did not meet before they were planted because time did not permit. Pat Finn asked why we are appointing sub committees when this committee should address every issue. And if the sub committee does not meet, the issue is not resolved. Pat Finn said we dropped the ball and why not address everything when we meet. David Walsh said Mr. Finn just made a blanket statement about sub committees. He said he has been on three sub committees to meet with various abutters and when you make a comment on the record that the sub committees don't do anything. Pat Finn said this shows that some sub committees act quickly. ***Paul Dunphy made a motion to move whatever trees are causing all this anxiety at the direction of Phil Lemnios, the School Department and the landscaper. Dr. Silva seconded the motion.*** Bill Dwyer said he would recommend a comprehensive approach to review in front of the entire committee. Phil Lemnios said he believes that every action of every sub committee has been brought back to the School Building Committee for review and approval. Phil told Pat that he may not appreciate the timeliness of it but he recollects that he was a one-person sub committee that there was no action on. Pat Finn said that was a cheap shot. Phil Lemnios said it may be true that in this instance this sub committee did not act as expeditiously as Pat would like, but they did act. Pat Finn said his sub committee did not exist and you made a big joke of it. Dr. Silva said a landscape person needs to be there and he would like that in the motion. It was noted it was. ***David Walsh said he would also like to amend the motion to include that it specifically state that whatever trees are removed will be replaced with an alternative vegetation.*** He said it is privacy issue for the school and the abutters now and in the future. ***Paul Dunphy accepted that amendment.*** Dr. Silva said Phil made a comment that those trees would be utilized somewhere else in town. Phil Lemnios said they would find an alternative site.

Jay Meschino said he found minutes from one year ago where Ai3 had committed to go back to the landscape architect and get information on the trees. He said we did bring up the issue a year ago to the board. Jay Meschino said the Tuesday construction meetings acted on the plantings before the sub committee met. There was some discussion to allow the contractor to fulfill their obligation before we changed it. David Twombly said PMA recommended the landscapers do their plantings, otherwise it would have been a Change Orders and it would end up being more expensive than us hiring our own landscaper.

David Twombly asked for clarification on what needs to be done. Phil said it would be a.) to get a landscaper to identify when is the best time to move those trees, b.) identify an alternate planting that will not grow as high as the current tree c.) determine when is the best time to plant those trees, and d.) get an update from Ai3 on the status of the other trees. Phil Lemnios we will bring it back to the sub committee. *All approved the motion with one abstention (Jay Meschino).*

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

8. **Old Business:**

- *Abutter Request:* David Walsh said he needs Executive Session to discuss a strategy relative to litigation.
- *Traffic Flow:* Pat Finn asked what happened with the one-way street. Phil Lemnios said the Superintendent worked with the Police Chief David Twombly said it is done. He met with Fire Department, the Chief of Police and Peter Lombardo on site and then later he met with the Police Chief and the Superintendent. They walked the site and all agreed the buses should drop off where the modulars were and the parent drop off is in front of the school. They lined up seven buses in the loop off the road. They got input on a number of signs and they do need more signs towards Jay Meschino's house. David Twombly asked if some of the signs would be paid for by the School Building Committee. Pat Finn said he was up there today and people are driving through a posted one-way street. Phil Lemnios said they are working with the Police Department and working on the signage and people will stop going the wrong way once that signage is posted. The police are monitoring the situation and they have been in communication with the School Department.

Jay Meschino said he sees a lot of vehicles turning back the opposite direction of what he thinks was intended. His opinion is there needs to be "do not enter" signs by the janitorial entrance. David Twombly said the Police Chief requested two signs that say "do not enter" at that location. We need to put some signs where Jay's house is, indicating it is one-way and arrows at the fence. David Twombly said we do have two signs in front of administration and agrees it is a matter of getting people accustomed to

it. The Police Department has had an officer on a bike there every morning to monitor the situation and to make sure everyone understands. David Walsh said he thought it was clear at the last meeting that this committee has no say about how the Superintendent uses her building, the signage or the direction of Harborview Road. It has nothing to do with this committee. He said there should be a patrolman there because it is a public safety issue. David Walsh said he is not sure the printing and billing of the signs should come back to this committee. Whatever direction the proper people see fit is what it should be and those people should deal with it. Phil Lemnios added it is only the road in front of school property. Phil Lemnios said either the School Committee or this Committee will pay the cost but the signs are being ordered. Dr. Silva said he agrees with David, it is the School Committee, Police and Board of Selectmen who have charge of this street. Dr. Silva said it does bother him that teachers are backing out and going the wrong way. Pat Finn said he is in favor of helping pay for the signs.

Slope: Pat Finn said he went up there today and they filled the holes behind the fence and we have two fences. He said we have a slope that is extremely steep, earth that has slid down the slope and created a shelf affect by an abutter. ***Pat Finn made a motion to authorize up to \$5,000 for some ground cover on Town property between those two fences to stabilize that slope and take care of maintenance issues. Paul Dunphy seconded the motion.*** David Walsh said whenever we have these up-to-amount-bids that are public information before they go out to bid, that is always the number that comes back. David Walsh said we should seek low bids or bids on their merits because when they go out this way they come back this way and it is the wrong way to do it. When we say it is up to \$5,000, when they come back they are \$4,800-\$4,900 and the last one did not come back itemized. Phil Lemnios said since we are going to have a landscaper look at the other issue, let's have them provide some ideas and determine if there really is a problem and if that solution would resolve it and then get a cost estimate. Phil Lemnios said the intent is to have the slope held to a greater extent than it is currently being held.

Pat Finn made a motion to authorize David Twombly to get quotes from a landscape regarding the town property area between the fences to put in some ground cover/slope stabilization vegetation. Paul Dunphy seconded the motion. Charlie Ryder said since this slope is part of the project, if it is deteriorating or eroding it should be on the punch list and the contractor should take care of it. David Twombly said they did take a look at it but there was no erosion of that slope. Pat Finn said he was there a couple hours ago and there is a shelving affect behind the abutter's fence that we installed and it is falling down and the grass that was sprayed, with all the rain, it has washed down. Phil Lemnios said we will ask PMA to look at it again. ***All approved the motion.***

- *Dedication:* Pat Finn said regarding the dedication for the John Kinear library we requested, Kevin Richardson was looking for two School Building Committee members at the last meeting to serve on the sub-committee and we did not get a second member. Phil Lemnios said the School Committee is advertising for volunteers. David Walsh said

he told Kevin he would do it. Phil Lemnios said this did come to the School Building Committee and it was determined that the naming of the rooms was the purview of the School Committee not the School Building Committee. Pat Finn said at the meeting Phil was not present at, Kevin Richardson said the School Committee created a seven-member sub committee and they wanted two School Building Committee members to serve on it. Pat Finn said he volunteered and no other member spoke up and he read in the paper that they need volunteers and now he understands David Walsh has volunteered. Phil Lemnios asked if there was a formal vote of this Committee. Phil Lemnios said typically when a member is asked to serve on another committee, the committee usually votes. Dr. Silva said he did not agree with Pat's statement that he agreed serve on that committee because this committee agreed to name the library. He said the School Building Committee recommended the School Committee look at it but we have no authority. *Jay Meschino made a motion to nominate Pat Finn and David Walsh to serve on the School Committee's dedication sub committee. Bill Dwyer seconded the motion. All approved.*

9. New Business/Submission of Agenda Items: None this evening

10. Sub Committee Update: Pat Finn stated his sub committee was disbanded eight months ago and it never existed.

David Walsh made a motion to go into Executive Session to discuss strategy relative to litigation and would not reconvene in Open Session. Dr. Silva seconded. The Committee approved by roll call vote. Pat Finn said he would like clarification on the open meeting laws on reasons to go into Executive Session.

Respectfully submitted,

Debbe Bennett
Recording Secretary