

Municipal Building Committee
Minutes of Meeting
6 April 2016

Approved:
April 20, 2016

Location: Memorial Hall, Town Hall

Members present:

John Arnold
Bob Brown
Cal Lawrence
Bob Fryer
Peter O'Neil

Members absent:

George Barrette
Dexter Blois

Others Present:

Zachary Schmalz, Heery
Hank Rauch, Advisory Finance Committee
Fire Chief Pat Purcell
Jim Malloy, Town Manager

Peter Collins, Heery (arrived @ 9:48)
John Badenhausen, Youth & Family Services (Y&FS)
Pat Cullen, Fire Department
Tin Htway, Building Commissioner

Mr. Brown called the meeting to order at 8:30 AM.

Open Forum

There were no requests to address the Committee.

Approval of Open Minutes

Mr. Arnold made a motion to approve the minutes of March 16, 2016 and Mr. Fryer seconded. VOTED: 3-0-2 (abstention: Lawrence, O'Neil).

Forbes Building

Mr. Schmalz referred to Heery's Report that was distributed to the Committee. He mentioned that Heery, the Owners Project Manager (OPM), and Jacunski Humes, the architect, are in the process of compiling their contracts for the Forbes Building renovation. Mr. Schmalz pointed out the OPM Milestone Schedule that was attached to their report and noted that this is just a starting point. He wanted to have dates on paper for reference. Mr. Fryer asked when money will be available for this project and Mr. Malloy said that funds are available whenever we need it. Mr. Malloy said that they are looking for departments to start moving out of the Forbes Building after January 1, 2017 and hope to move back in sometime during November of 2018. Mr. Fryer mentioned that the Police Department is looking to move dispatch by December 1, 2016 and that funds will be needed to move cables necessary for communication. Mr. Malloy said that he will verify with Town Treasurer, Joanne Savignac that temporary borrowing is in place.

Mr. Arnold asked about moving the School Department over the summer instead of during the winter when school is in session. Mr. Malloy noted that only administrative offices are located in the Forbes Building and, based on his experience; it should only take a day or two to relocate them. Mr. Lawrence asked if Mr. Malloy has chosen a site for temporary space. Mr. Malloy said that he is still working on it. He mentioned he has looked at sites in the downtown area and also on Computer Drive. Mr. Malloy will send out a "Request for Proposal" (RFP) once it is determined how much space they need. He noted the areas available at the DPW, Central One Federal Credit Union, and the Forbes Community Building where Town offices were temporarily relocated during the Town Hall renovation and pointed out that infrastructure was left in place for communication needs. Mr. Malloy is trying to determine where offices will be relocated. He estimated that they may be looking to lease 14,000-15,000 square feet of temporary space. Mr. Fryer asked if any decision has been made as to whether dispatch will be moved temporarily or permanently to the Fire Station. Mr. Malloy suggested forming a separate working group with representation from the Police Department and Fire Department, along with himself, to figure out the cost necessary for either a permanent or temporary Police dispatch area at the Fire Station.

There was a discussion about equipment and infrastructure needed, and also verifying that floor plans are accurate before construction design documents are prepared. Mr. Fryer noted that the Police will still have an area designated for temporary dispatch at the Forbes Building as a back-up for emergencies. Temporary space was again mentioned. Mr. Malloy said that he will start preparing an RFP over the summer so it is ready to send out by the end of August to figure out where the Police Department and School administration will go. He noted that there was approximately \$600,000 added to the project total to cover costs associated with moving and temporary space. Mr. Htway mentioned that Youth & Family Services (Y&FS), Planning, and the Building Department would prefer to be in the downtown area. Mr. Malloy said

that the space available at Central One Federal Credit Union would be ideal for the Building Department but Mr. Htway has about 800 filing cabinets. He pointed out that Mr. Htway has been using seniors through the Senior Property Tax Work Program to digitize records but it has been a slow process. Mr. Malloy mentioned that Mr. Htway is looking in to the cost of hiring a company that specializes in digitizing records to come in and get the job done in 30 days so the file cabinets can be placed in storage.

The small building on Fay Mountain that contains electronics for radio communications was noted and the need for a larger structure so equipment doesn't get damaged in that tiny area. Mr. Malloy will follow up with Assabet Valley Regional High School since they had spoken with them about having students construct a larger building as part of a school project.

Mr. Lawrence brought up the Explorer Post and asked if the contractor will allow the Post to operate during the Forbes Building renovation since they are connected to the Forbes power supply, and also whether the Post will still have access to the parking lot. Mr. Malloy said he will review their annual lease to see what is required. There was a suggestion by the Committee to invite a representative from the Explorer Post to the next MBC meeting. Chief Purcell said that he will ask Dana Haagensen to attend. Mr. Lawrence pointed out that the future plans for the Explorer Post should be determined so any necessary design plans can be communicated to the architect in advance. Mr. Malloy mentioned that the Town pays for the Post's utilities. It was noted that a decision needs to be made as to whether the Post will be supported by the Town moving forward and whether there is interest from the youth in the community since participation is down.

Mr. Htway asked to re-schedule his meetings with the architect regarding his area at the Forbes Building. Mr. Collins mentioned that they will be meeting with School Superintendent, Amber Bock, along with Y&FS, by the end of the month about their space on the third floor.

Town Hall

The Committee noted the condition of the ceiling in the Selectmen's Meeting Room. Mr. Schmalz said that he has communicated this urgent issue to R.A.C. and he is still waiting for an update.

Mr. Schmalz presented Application #24 for R.A.C. in the amount of \$82,377 for work completed through the end of February. He mentioned that this application was originally in the amount of \$100,157 but has been reduced. Mr. Brown asked about holding payment until the ceiling and roof have been fixed. Mr. O'Neil pointed out that repairing the roof and ceiling have been a topic of discussion for weeks, and noted the ideal weather we've had for fixing the roof. The Committee was in agreement that they'd like to see the roof fixed and inspected before this current requisition is paid. Mr. Schmalz said that he will communicate to R.A.C. that there will be no payment until the roof is fixed and ceiling repaired. Mr. Malloy also added that he frequently receives calls for recommendations on contractors and subs and would like to see this fixed as soon as possible in order for him to give a good reference. There was a motion by Mr. Arnold to deny payment to R.A.C. for Application #24 in the amount of \$82,377 until the roof has been fixed and inspected by an independent roofing inspector, and Mr. Fryer seconded. Mr. Schmalz mentioned that there are funds in this application that go to subcontractors not involved with the roof, for example the electrician, who have completed their work satisfactorily and provided close out documents. He referred to the application for payment where General Conditions was listed and mentioned that the amount indicated is all going to R.A.C. Mr. Schmalz suggested holding back payment for the General Conditions line item since R.A.C. is responsible for the coordination of their subs, along with monies owed to the roofer. Mr. Schmalz pointed out that they recently had a good conversation with the electrician and were able to resolve two "work under protest" cases, and also settled a third issue pending payment in full. Mr. Schmalz asked the Committee if they would like to approve payment on Application #24 minus money owed to R.A.C. and to the roofer. Mr. Lawrence asked - if payment is issued - are we sure R.A.C. is paying their subs according to how we want the money dispersed. Mr. Schmalz mentioned the "release of liens" and also that the subs will call Heery and the Town Manager's office if they are not paid by the General Contractor, so there are some flags. Mr. Malloy suggested giving R.A.C. direction as to how to disperse the money and again mentioned calls for references. He also pointed out that we are still holding about \$78,000 in retainage. Mr. Malloy felt it wasn't fair to withhold payment to subs that did complete their work, but noted that he has not received any phone calls from subs saying that R.A.C. hasn't paid them. Mr. Brown referred to the motion on the table for withholding payment to R.A.C. and that the motion has been seconded. VOTED: 5-0-0. Mr. Schmalz recalculated the requisition and removed the amount for General Conditions (\$3,358), along with the roofing line item (approximately \$3,000), and suggested reducing payment by \$10,000. Mr. Schmalz referred back to Mr. Malloy's comment about the budget number and said that it doesn't include all of the change orders. He noted that the total due to R.A.C. is about \$132,000, and out of that they have submitted this application for \$82,377, so the remainder they are owed is approximately \$50,000. The Committee was still under agreement on withholding the entire amount. Mr. Schmalz said that he will communicate that to R.A.C.

Mr. Schmalz referred to the Change Order Log attached to Heery's Report and mentioned the "Change Orders Under Review". He is making a recommendation to approve Change Order (CO) #14, and reviewed the credits and charges listed. Mr. Arnold asked about the grids on the front doors. Building Commissioner, Tin Htway was present and suggested checking with Town Planner, Jim Robbins, as to where that stands. Mr. Malloy mentioned that Brian Humes sent a letter. Mr. Arnold noted that the Committee voted not to install the grids. Mr. Htway said that the current plans show the grids, so there is a discrepancy. He will check with Mr. Robbins as to the status of this issue. Mr. Schmalz pointed out that the value of CO #14 is actually a credit in the amount of \$1,040. Mr. Arnold asked what was left on the Punch List and the scope of work involved. Mr. Schmalz mentioned the clock tower, roof, and ceiling, along with items related to the HVAC system, supply return grids, and some close out activity and owner training. Mr. Arnold pointed out that the Punch List is 13 pages with a value of about \$50,000. Mr. Schmalz said that out of the 109 items, 50 or 60 items have been completed as far as Heery is concerned but they are waiting for other departments to sign off, such as the Fire Department and Building Commissioner. Mr. Schmalz said that Heery went through the normal back punch and flagged some of these items as done, but can't take them off the list since other departments were the ones that added them. He felt that there were only about 35-40 actual items that were still open on the Punch List. Mr. Malloy mentioned an area where the carpet isn't flush and needs to be fixed. He may want to put R.A.C. on notice that if someone trips, R.A.C. is liable. Mr. Schmalz said that he will remind R.A.C. again and mentioned that he sent an email to them with items of high priority – such as the roof and carpet. Mr. Brown pointed out the lights in the elevator that still need to be cleaned and the loose sprinkler head in the Selectmen's Meeting Room. Mr. Malloy said that the sprinkler head has been like that since they moved in. Mr. Arnold asked Mr. Schmalz to communicate the feelings of the Municipal Building Committee to R.A.C. that they need to finish fixing outstanding items or they won't get paid. There was a motion by Mr. Lawrence to approve CO #14 in the amount of (-\$1,040) and Mr. Arnold seconded. VOTED: 5-0-0.

Mr. Arnold pointed out the parking lot located next to the Town Hall. Mr. Malloy said he is still working with neighboring abutters regarding the alleyway and the benefits of re-designing that area. He referred to the attorneys for the abutters and will follow up with them to see if they have any questions. Mr. Malloy mentioned that the Town applied for a grant to help with the cost of re-designing the parking lot. He said his hope is to have a larger parking area along with a community gathering space. Mr. O'Neil noted that we still need to resolve any remaining issues with the abutters next to the Town Hall before moving on to a larger project. Mr. Malloy agreed and also briefly discussed the South Street entrance to the parking lot.

Library

There was no new Library business.

Fire Station

Mr. Schmalz presented Application #24 for G&R in the amount of \$13,720. He mentioned that the work identified is from the project Punch List and doesn't pay G&R in full. There is still \$500 remaining for the fence and dumpster enclosure. Mr. Schmalz said that Mr. Humes has communicated to G&R that we are still waiting for this area to be fixed, otherwise everything else is closed. Mr. Schmalz said that Heery is making a recommendation for approval. Mr. Brown asked Chief Purcell if he felt everything was all set. Chief Purcell said all items have been finished with the exception of the fence. He mentioned that they are also still working on the Public Announcement (PA) and alerting systems. Mr. O'Neil asked if the Harvey Building lot was cleaned up. Mr. Schmalz said that was completed when the parking lot at the new Fire Station was done last June/July. Mr. Malloy noted that they will verify the parking lot is clean before releasing retainage. Mr. Fryer made a motion to approve payment to G&R for Application #24 in the amount of \$13,720 and Mr. Arnold seconded. VOTED: 4-0-0 (Mr. Lawrence was absent for this vote).

Mr. Schmalz referred to the budget. He said it is complete but that he still needs to insert values for the PA system, the alerting system, and survey work. Mr. Schmalz will provide an updated budget at the next MBC meeting.

Mr. Schmalz mentioned that final close out for this project is done. They are waiting for the DPW to sign off and Mr. Htway to complete a final walk through in order to obtain the Certificate of Occupancy.

Regarding the Memorial Park, Mr. Arnold had a handout that he provided to the Committee from Whitinsville Monumental Works for the memorial stones. He said that he is still waiting for a quote from a company that will provide the labor cost, with the Town purchasing the materials. Mr. Arnold also mentioned that he will establish a gift fund for those individuals and organizations that would like to donate to this project. The flag poles were also discussed. Mr. Fryer made a motion to purchase two new flag poles for the Fire Station and Mr. Lawrence seconded. VOTED: 5-0-0. It was noted that specs were needed for the flag poles. Chief Purcell mentioned that Mr. Humes has the specs and that he would like taller flag poles than what is there now so flags can be seen flying above the building.

Executive Session

Mr. Arnold moved to enter in to Executive Session under MGL Chapter 30 Section 21 (a) (3) to discuss strategy with respect to litigation. MBC Chairman, Bob Brown, declared that an open meeting may have a detrimental effect on the Town's litigating position if not held in Executive Session and that the Committee will come out of Executive Session for the purpose of adjournment.

A roll call vote was taken to enter in to Executive Session: Mr. Lawrence – yes; Mr. Brown – yes; Mr. Arnold – yes; Mr. Fryer – yes; Mr. O'Neil – yes.

Old Business

There was no old business brought before the Committee.

New Business

There was no new business brought before the Committee.

Future Meetings

The next Municipal Building Committee meeting will be held Wednesday, April 20, 2016, at 8:30 AM in the upper level of Memorial Hall at the Town Hall.

Adjournment

Having no further business, Mr. Lawrence made a motion to adjourn the meeting at 10:45 AM and Mr. Arnold seconded. VOTED: 5-0-0.

Respectfully submitted,
Jessica Thomas
MBC Administrative Assistant