

Town of Kingston
Senior Center Building Committee
Meeting Minutes
September 16, 2009

1. The Meeting was opened at 12:15pm by Chairman Paul Gallagher in Room 203. Other Members present were Muriel Boyce, Phil Burnham, Jack Burrey, Dave Colter, and Linda Felix. Absent was Ron Gleason.

2. Paul opened by asking the question of the Committee, are we all in agreement that we want to split the OPM job and the Clerk of the Works job into 2 separate, distinct jobs. Paul is more confident that we should split them. The State mandates that you must have an OPM on the job but it might only be a 10 hour a week position. Which we believe isn't enough for a very important job on this project; namely, just having a OPM. For these reasons and others mentioned in item #4 below. as well as having the mandated OPM position, we would also like to see a full time, but hourly paid, Clerk of The Works, for their could be times when bad winter weather could interfere with production of the project or some other downtime reason. But otherwise, it could be close to a full-time position.

3. Jack Burrey mentioned that he thought it could take up to a year to build this Senior Center and having a good Contractor will pay dividends over time. Whereas some of the 3 semi-finalists predicted 6 – 9 months, especially when we are coming up on winter weather, which is unpredictable, as noted above, and can effect the early stages of working on the building. Phil Burnham said that while the Clerk of the Works is a valuable person on a job like this, we still do need to have the OPM.

4. Dave Colter put forth that we should have a Clerk of the Works on the job right from the beginning, especially under this economy, for they could keep a daily watch on bidding prices on materials, and keeping in mind, that we have to hire the low bidder as well. No doubt there will be a lot of bids received, the Architect may well forget something we wanted included which could effect other work, and keeping a close watch on the construction does continue to be a

necessary part of a Clerk of the Works on board, even after the building is framed and the roof is on. There is no doubt that you need the OPM to do their job and a Clerk of the Works to do their job.

5. At this point, Paul said we can hire someone on an hourly basis, and they will bill us exactly for the work they performed and how many hours in any particular week that they worked. We had a Clerk of the Works when we built the Town Hall, the Fire Station, the High School and the Library. A **Motion** was put forth by Paul Gallagher where Paul would work with Jill Myers, Town Administrator, to reengineer the contract for the OPM position and engineer a contract for Clerk of The Works, as we talked about it at last week's meeting (See Minutes of September 9, 2009). **This Motion was seconded** by Phil Burnham and it was **unanimously so Voted.**

6. Muriel Boyce asked for some discussion on this Motion in that P3 wanted to be in on the hiring of the Clerk of the Works and was questioning the amount of money to be paid. She was advised that the Clerk of the Works will report to this Committee; and as far as the pay, - "no work, no money" when the job is an hourly paying job. Also Paul stated that we are thinking in the neighborhood of \$40,000 for the OPM and \$60,000 for the Clerk of the Works (\$100,000 is budgeted). Dave Colter also added that the Clerk of the Works job will be advertised for anyone to bid on. He added that any person on this Committee could apply for this job and Dave has checked with a Lawyer (named David Wilson) in the State Office of the Ethics' Department just today to confirm this and he was told as long as that person had recused themselves from any meeting/discussions where these matters were talked about (selection of the OPM/CTW), it was completely ethical for them to apply if they so wished. And this is what we will be relying on if any question about a "Conflict of Interest" should arise at any time. Once applying, they would have to resign from the SCBC for 30 days while these negotiations were proceeding forward. If that person did not get hired for the COW, they could reapply for a position back on the SCBC if they so wished.

7. On a completely different matter, Phil Burnham put forth a **Motion** directing the Chairman, Paul Gallagher, to work with Jill

Myers, Town Administrator, and Paul Basler, Highway Superintendent, to pay to accept appropriate dirt/gravel fill from a Well Site (I-86) in the Town amounting to approximately 3,000 yards and **this Motion was seconded** by Linda Felix and it was **unanimously so Voted.** Paul will find out from the Conservation Commission just where this fill should go, in, under and around the Senior Center foundation. Jack Burrey and Maureen Thomas, Conservation Agent, will then work together on this matter.

8. Paul will work on some of the above matters and then advise the Committee when the date of the next SCBC Meeting will be held.

9. For information, the outstanding Minutes now are August 19th, August 26th, September 3rd, September 9th and these dated September 16th.

10. There being no other business to come before the Meeting, a **Motion** was made by Phil Burnham and **seconded** by Muriel Boyce to close the meeting, it being 1:30pm., and it was **unanimously so Voted.**

Respectfully submitted,

Ruthann Cassidy, Secretary