

**Permanent Building Committee
MINUTES
Special Meeting
Tuesday, February 6, 2018**

Commissioners Present: Mr. Peter Viola, Chair
Mr. Andre J. Lisee
Mr. Mike DelMonaco
Mr. Ed Sbordone
Ms. Olga Nanocchio

Commissioners Absent: None

Guests Present: Bucky Riehl,
Linda Fox
Attorney Jack Keating

Town Officials Present: None

Call to Order: 7:02 pm

Financial Report

Ed Sbordone provide a financial report for the Library Project. Project Contingency is \$92,451.11 which includes the pending \$10,000.00 for A. Secondino & Sons, Inc. Ed and Linda stated that we will need a G702 and G703 from A. Secondino & Sons.

Library Project Update

Bucky Riehl provided an update of the Library Project issues. The condensing line of the AC unit is clogged. Either the Town employees or the HVAC crew the Town uses will fix the issue if we cannot get A. Secondino & Sons to fix it. The back doors are still not working properly 100% of the time. The elevator floor needs to be adjusted to be level with the floor outside the elevator. Bucky would like to work with the elevator company prior to making the adjustments as he does not want to cause any additional issues since he did not install the elevator. He is waiting on a reply from the elevator company.

Executive Session

Peter Viola made a motion to go into executive session to include the members of the Permanent Building Committee, Linda Fox, Bucky Riehl, and Attorney Jack Keating at 7:21pm. Ed Sbordone seconded the motion. **Vote: 5-0-0 (Motion approved)**

Peter Viola made a motion to come out of executive session at 7:43pm. Mike DelMonaco seconded the motion.

Vote: 5-0-0 (Motion approved)

A Secondino & Sons Proposed Settlement

Ed Sbordone made a motion to approve the compromise stated in items 2. ASSI will issue a credit deduct change order and send a final pay application for the \$5,000 to be paid to ASSI by the Town, 3. Parties to exchange mutual releases of any known or unknown claims in connection with the project, including but not limited to retainage, warranties, defects or problems with work. If the Town wanted to retain its right to assert a warranty claim against a manufacturer, it would have to agree to indemnify ASSI in the event a manufacturer brought a claim against ASSI and 4. Parties agree to split any mediation costs incurred. So far ASSI has already paid a filing fee of \$250.00, of the email from A. Secondino's Attorney McGoldrick. We cannot agree to item 1 because the Project is not complete. Among other items, the elevator must be made code compliant and the condensate drain issue has not been resolved. Nonetheless, the Town will accept Secondino's request for final payment, and release (and indemnify) Secondino as outlined in your trailing email. Olga Nanocchio seconded the motion. **Vote: 5-0-0 (Motion approved)**

Adjournment

Pete Viola motioned to adjourn meeting at 7:45pm. Andre Lisse seconded the motion. **Vote: 5-0-0 (Motion approved)**