

TOWN OF NEWINGTON  
TOWN HALL RENOVATIONS PROJECT BUILDING COMMITTEE  
SPECIAL MEETING MINUTES

May 1, 2019

Town Hall Lower Level, Conference Room L101

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*Adam O. Harpie*  
Town Clerk

- I. Call to Order – Mr. Harpie called the meeting to order at 5:00 PM.
- II. Roll Call – Members present: Joe Harpie, Chairperson; Jim Marocchini, Beth DelBuono, Rod Mortensen, Ed Murtha, and Don Woods. Others present: Roy Zartarian, Mayor; Frank Tomcak, Downes Construction Company; Tom Arcari and Kyle Baron, Quisenberry Arcari + Malik Architecture; Marc Sklenka, Colliers International; Tanya Lane, Town Manager; and Jeff Baron, Director of Administrative Services.
- III. Approval of Prior Meeting Minutes –Mr. Murtha made a motion that the minutes of the April 10, 2019 meeting be approved as written. A second to the motion was made by Mr. Motensen. The motion passed by a vote of 6 YES to 0 NO.
- IV. Public Participation – Gail Budrejko, 21 Isabelle Terrace, spoke about flooding in the yards of library neighbors on Hartt Lane. This may be caused by work done for the library parking lot, rather than by Downes Construction, which does not fall under the purview of this Committee.
- V. Construction Manager’s Report –presented by Mr. Tomcak. He began by presenting a financial statement, the highlight of which was the identification of potential change orders, which would be paid for out of the Owner’s Contingency, totaling an estimated \$240,000. These were discussed later on in his presentation. Work completed included Phase 1 interior abatement and PCB removals in the former Transition Academy wing of the existing Town Hall. Other completed work includes roof abatement of the same area, and removal of the Transition Academy roof; site clearing; installation of the temporary fence around the site; installation of way finding signage; installation of a temporary walkway along Garfield Street; and installation of drainage control measures. The conduit for the fiber optic cable running from the Police Department to the Library is completed. The cable has been installed and is being tested for continuity by the Town. Site excavation is in progress. Control lines for the new building layout have been established. The former Transition Academy is being disconnected currently. Underground utility coordination is going on behind the scenes. Work to start includes the demolition of the former Transition Academy wing this weekend. The removal of impacted soil, and eventually the removal of the old junior high school foundation, will also be getting started. There was an allowance in the project for 1,500 tons of impacted soil and for the junior high school foundation. The project industrial hygienist, EnviroMed, has been testing the soil. They now feel that there is an excess of this 1,500

tons on the site, by as much as 3,500 tons. The cost to remove this amount of additional soil with hazardous materials would be \$250,000. There are also other, smaller, potential change orders. There is a need to move the natural gas line that is close to the building foundation, at an anticipated cost of \$3,500. A revision to the parapet detail at the gymnasium, from plywood to brick, is estimated to cost \$2,500 and is under review. There are also potential credits for back taping joints on the exterior sheathing, estimated at \$11,000, and for an unused portion of the fire alarm allowance, estimated at \$5,000. All scope review and credit items are under review. The net figure of these estimates is \$240,000, as mentioned at the beginning of the presentation.

This led to lengthy discussion. The Chair asked if, regarding the contaminated soil, EnviroMed has completed a Phase 3 study. Mr. Arcari responded. That is not a bad idea. It would have made more sense to do that during the design phase. The material still needs to be removed. Some material is questionable. As fill is being removed some buckets are being directed into the clean fill truck, and some into the dirty fill truck. It is smart to identify your maximum exposure. The Town won't know until it excavates. He doesn't recommend a Phase 3 study. You have to remove the fill anyway. These tests would delay the project, and would just tell you how much more you have to spend. There were three high risk areas identified at the start of the project, including demolition of the old Town Hall at the end of the project. It is unfortunate the Town would dive into its contingency this early. Mr. Harpie noted that this was 28% of the Owner's Contingency. He asked if the industrial hygienist had issued a Remediation Action Plan. The Committee needs data to get their arms around this. He doesn't want this to be the Town's achilles heel. He would be concerned about moving forward to approve a change order without this information. Mr. Marocchini stated that digging had started today. When you have this condition you test as you go. EnviroMed has a 3,500 ton estimate. Mr. Harpie rebutted that, for any other projects he has been involved with, there was always a Phase 3 study done for the Department of Environmental Protection. He felt that we have to structure this somehow until we know the level of damage. The Town Manager stated that this was different from last year's diesel spill, where the bottom was unknown. Here the bottom is where the foundation of the new building will start.

Ms. DelBuono asked if the estimate was the maximum. Mr. Tomcak replied by presenting a sketch, a rough cross section of the parking lot soil. There was four feet of soil to get to the old junior high school foundation. It was thought that contaminated material was only in the bottom one to one and a half feet. In the last week, EnviroMed is saying that there is contaminated material in the layer above that. Mr. Murtha asked if the amount could go higher. Mr. Tomcak replied that he can't guarantee anything, but that some virgin soil has been found. Mr. Arcari added that the building was originally built on virgin soil and that asbestos containing material (tile) is mixed in with that dirt. Mr. Mortensen if there was any rhyme or reason for the clean vs. dirty fill. Mr. Tomcak replied that EnviroMed was monitoring the soil as it came out of the ground. The initial two feet are believed to be clean. Ms. DelBuono observed that when we try and rush the timeline, we have a problem. Mr. Arcari explained Phase 3 testing. It would develop a total profile of the entire site. It would entail digging holes and evaluating the results of each. Mr. Harpie stated that when the Conceptual Design budget was reported there was no number for this. Then number 6 came up. That got adjusted arbitrarily. He asked why we can't be sure. The Committee was discouraged from doing the Phase 3 study. The

Committee is in a very precarious position. Proper guidance would have helped on this issue. As to the scope of the other high risk areas, are we left to guess on these as well? Ms. DelBuono asked what the soil is contaminated with. She was told that it was non-friable asbestos containing material. She asked what “non-friable” meant. Mr. Tomcak responded that it is all classified as non-friable as it can’t be pulverized into a powder. Mr. Arcari stated that it had been discussed about taking test borings across the parking lot, which would have affected parking in the winter, when it was considered. Instead, trenches were dug in the spring. They showed relatively no asbestos containing material. Mr. Harpie asked about the changes from Addendum 5 to the bid for subcontractors. Mr. Tomcak replied that these dealt with the water table. Mr. Arcari, responding to a question from Ms. DelBuono, stated that some asbestos containing material was found in the base of the old junior high school slab. They used that information to adjust the overall estimate of material in the allowance. A true Phase 3 assessment would have created a true picture of what was present. It also would have required a significant investment of dollars. Ms. DelBuono asked how much a Phase 3 study would have cost. Mr. Arcari replied it would have been between \$20,000 and \$50,000. Mr. Tomcak added that the Town has to remove this soil anyway to make way for the new structure. Mr. Arcari also pointed out that no Potential Change Orders have been issued. There is an entire evaluation process that has to be done. There is the possibility of negotiating with the site contractor. The base amount of 1,500 tons is doubling. Whatever it turns out to be, this is a large increase. It wouldn’t be unreasonable to ask for a lump sum. Mr. Woods asked if the Committee wouldn’t be in the same spot with a Phase 3 study. He felt it is either pay up front or pay as you go. Mr. Tomcak responded that there could also be collateral damage to the schedule, with subcontractors encountering winter conditions. There could be more costs from that. Mr. Harpie stated that the Committee could have had an opportunity to have a conversation. It took bad advice not to have a Phase 3 study. Mr. Tomcak stated that that option was still available.

Mr. Mortensen asked if the Committee was being asked to take action tonight. He was told no, it was not. Ms. DelBuono asked for a gas line update. Mr. Tomcak replied that Connecticut Natural Gas has offered to install the gas line at no cost. The cost identified is for the site contractor to dig the trench. It needs to be moved because it is in close proximity to the building foundation. Mr. Arcari stated that the original data showed it in a different position. It is a two inch high pressure line, and a life safety issue. It runs between the old and the new Town Hall buildings. It is the main feed to the old Town Hall. Mr. Harpie asked for updates for the other high risk items. Mr. Tocak replied that there was no change. High risk items will be continuously scrutinized by Colliers.

- VI. Architect’s Update – presented by Mr. Arcari. He spoke about building exterior components. He showed a rendering of the new Town Hall Lower Level. He stated that the brick sample that had been picked was a lighter brick with a tan base. This will match the tone of the rendering. The second major exterior component is cast stone. A sample was shown to the Committee. It has a limestone look with a cream color. It is at the base of the building and in columns. It is a 100 year product. The third major component is the aluminum framing for the glass. These are also at the Community Center entrance. They will be black, which complements the stone. The fourth component of the exterior is the Exterior Insulation and Finishing System (EIFS). It is found on the parapet and will

match the limestone. Also, a Glen Garry modular brick was selected for the Police Department. This will come the closest to matching the brick of the current Police Department building. There is a potential option for the parapet. Mr. Arcari stated that his firm would look at all Potential Change Orders, in addition to this one. Right now they are going through the submittal process. The process of credits and adds will go on throughout the project. This will reduce the potential liability from a big number. Mr. Sklenka was asked to evaluate the potential change order for the parapet. He reminded the Committee that Collier's job was to hold sacred the budget. The original detail was fine. There is no need to spend additional dollars now, especially given what the Committee heard earlier in the meeting. Mr. Marocchini asked about the parapet materials. Mr. Arcari responded in detail.

- VII. Any Other Business Pertinent to the Committee – The Committee agreed to meet again on May 29<sup>th</sup>.
- VIII. Public Participation – Chris Minor, 119 Revere Drive, spoke about the additional asbestos containing soil in the upper parking lot.
- IX. Comments by Committee Members – Mr. Harpie stated that the Committee needs as much information as it can get before approving change orders. He asked Downes Construction to reach out to EnviroMed, if possible. Ms. DelBuono asked to get information in advance, if possible.
- X. Adjournment – the meeting adjourned at 5:57 PM.

Respectfully submitted,

*Jeff Baron*

Jeff Baron,  
Director of Administrative Services