Meeting Minutes

Town of Lincoln
Lincoln RI High School
Renovation Committee
Date: 01/13/21
Time: 6:30 PM

Location: Lincoln Senior Center, 150 Jenckes Hill Road, Lincoln, RI 02865

Attendance: Keith Macksoud, Co-Chair; John Picozzi, Co-Chair; Mike Babbitt, George Boudjouk, Diedre Carreno, Steve Carvalho, James Frost, Mike Gagnon, Phil Gould, Jim Jahnz, Kevin McNamara, Robert Mezzanotte, Greg O'Connor, Bruce Ogni, John Sharkey, Tiffany Smith, Bob Turner. Via Zoom: Armand Milazzo, Al Ranaldi John Ward. Chad Healey, Colliers; Ben Williams, SMMA; Tony Murgida, Gilbane; Steve Duvel, Gilbane

Meeting Minutes

Jim Jahnz made a motion to approve the 12/16/21 minutes. A second was provided by Steve Carvalho. Bob Turner made a motion to amend the minutes to include his emailed changes to the minutes regarding his request to re-elect the Vice-Chairs. Jim Jahnz stated the minutes are customarily without adjectives and appear accurate. The motion to amend **failed** with a vote of 9 opposed and 5 in favor, and Diedre Correno abstaining as she had not attended that meeting. **It was voted** to approve the minutes as presented.

Communications

Vice-Chair Macksoud reported receiving an invoice for transcriptions services and it was forwarded to the school department.

Keith Macksoud reported receiving a letter from Solicitor DeSisto regarding the composition of the High School Renovation Committee. He quoted the letter saying, "The Town Solicitor shall decide all questions and controversies relative to the legal construction of any and all laws and ordinances affecting the Town as well as the Town Charter and division of powers and duties created or implied therein." The Solicitor further explained, "the appointments were on a 'vice' (in place of) basis meaning that the new members appointed match the positions held, and requirements of, those members they were appointed to replace. It is my understanding that the vice-chairs of the committee both resigned, and their replacements were appointed by the Council on a vice basis to the positions that they held prior to resigning. That means a voted by the committee for vice-chairs would be in violation of the Council Resolution and be null and void." The Solicitor referenced *Mason's Manual of Legislative Procedure* Chapter 55, Section 608; *Robert's Rules of Order* Rule 52. At Bob Turner's request for a copy, Keith Macksoud said he would forward to everyone.

The Vice-Chair also received a memo from the Solicitor on the status of the punch list items. The Solicitor noted it appears there were three punch lists, one each from SMMA, Gilbane and Colliers. There are three items on Gilbane/Colliers list (which contains 16 items). The three items are 002465 – hot water inconsistency; 000622 – installation of transfer ducts; 0001986 B 163.2 – Blinds not installed in large window in admin wing.

There were different items for a total of 22 listed. The Solicitor is attempting to meet with the three contractors and was looking for a contact in the school department. Mike Babbitt added the floor drain in the auto shop. Chad Healy stated he had 19 items on his and three are complete. Bob Turner requested a copy of the Solicitors letter and Co-Chair Macksoud will send to everyone.

LHS Reno & Additional Project
Review Status of Punch list

Bob Mezzanotte confirmed they had used the projector prior to the box being installed and it was fine. Much to the embarrassment of the Principal, during a presentation by a RIC English Language professor the projector overheated. Chad Healy explained the projector was loud so the box was added, but he was not aware the exhaust had not been installed, which is what caused the overheating. The Principal disagreed about it being loud, commenting on the continued lack of communication and accountability. Healy took responsibility and continued testing of the projector will be done to make sure the issue is corrected.

Review Status of Punch List Completion

The Colliers representative reported the hot water issue is scheduled for Monday, a holiday. He is also working with Tavares to correct the demountable partitions. Mike Babbitt expressed concern for the inconsistent heat in the shop; a heating valve is not fully opening. The temperature should be between 68-72 degrees. The transfer ducts (04) are not completed because they are waiting on parts since July 2020. As other issues were discussed Diedre Carreno thought these were taken care of as part of the Solicitor’s memo so they could concentrate on the PEC. Solicitor DeSisto is attempting to contact SMMA, Gilbane and Colliers and a representative from the school department to review and reach some sort of consensus on the outstanding items on the punch list. Mike Babbitt noted there isn’t much to be done on the PEC until the RFQ is complete.

Requisitions & Changes

Chad Healy reported there is a new requisition (#44) from Gilbane for $97,818.82 for final work. On a point of order, Jim Jahnz noted this committee can only make a recommendation to the Town Council or refer it to the solicitor. Keith Macksoud reported requisition #42 was for $119,152 and requisition $43 was for $131,643. Steve Duvel, Sr. VP, Gilbane stated they only invoice work that is complete and noted the contract calls for retainage. He asked for reconsideration. Keith Macksoud stated it is in the hands of the Town’s Solicitor. Duvel requested the Solicitor put in writing what they are not paying. Jim Jahnz made a motion to refer this to Solicitor DeSisto. A second was provided by Kevin McNamara and John Picozzi. Mike Gagnon recommended making a good faith payment. Phil Gould will contact Solicitor DeSisto to make sure communication has not stopped. Steve Carvalho **moved** the motion. **It was voted** to approve the motion with Mike Gagnon voting against.

Update on Dispute with Gilbane

See above memo on the punch list.

Review CM Contingency Expenditures

Chad Healy reported there are no changes since 12/8/21.

Discuss Forming Subcommittee To Review CM Contingency Expenditures	**It was voted** to a approve a motion by Bruce Ogni, and a second by Mike Babbitt, to form a subcommittee to review the expenditures. Volunteers were Bruce Ogni, Mike Babbitt, Mike Gagnon, Steve Carvalho, Rob Mezzanotte, John Ward and John Picozzi as an alternate.
Previous Minutes	Keith Macksoud reported to Chad Healy the minutes had been approved.
	The departure of SMMA, Gilbane and Colliers' representatives is noted at 7:54 PM
Physical Ed Complex	Keith Macksoud reported the Town Council passed a resolution authorizing the Finance Director, Town Administrator and President of the Council to issue up to $2,500,050 million in bonds for $8,300,000. The Town Council will meet with the School Committee to present Stage II for February submission to RIDE. Kevin McNamara reported they will approve their budget on January 31st. Mike Babbitt reported the RFP for the OPM is complete and they just need dates when the bids should come back. Keith asked if June 30, 2023 is a realistic completion date and Mike Babbitt didn't think so. Diedre Carreno asked if the proceeds need to be spent or encumbered by 6/30/23; John Ward will have to check. Details of the RFP, such as 48 hour notification, consulting with the high school principal were discussed. Mike Babbitt stated they will plan to keep the workers away from kids. Mike Babbitt reported they are sending out to all qualified on the list. He stated the timeline would be 4-8 weeks total. When the bids come in, they will be scored, interviews held and hire. **It was voted** to approve the changes to the RFP on a motion by Mike Babbitt, and a second by John Picozzi and Steve Carvalho.
Schedule Next Meetings	Keith Macksoud reported the Budget Board uses the committee room. There were no objections to holding future meetings at the Senior Center. The Budget Board also meets on Thursdays and asked if the PEC could meet on Wednesdays. It was agreed the next meeting would be Wednesday, January 26th at 6:30 PM.
Public Comment	Bob Turner requested the consideration of election of officers be added to the next agenda. He referenced *Robert's Rules of Order* regarding an appeal. Carl Brunnetti (on Zoom) stated he appreciated changing the meeting from Thursday to Wednesday, however they will be meeting Tuesday, Wednesday and Thursdays. Mike Babbitt noted in the past they adjusted the items on the agenda to accommodate Budget Board members attending the Budget Board meetings.
Vote to Adjourn	**It was voted** on a motion by Kevin McNamara to adjourn at 8:18 PM. Steve Carvalho provided a second.