Village of Tupper Lake
Board of Trustees
Minutes

Date:	Thursday, February 5, 2015	
Start:	10:30 AM	
Location:	Board Room	
Meeting:	Special Meeting	10:30 – 11:34 AM

At the Special Meeting of the Board of Trustees held this date, the following were present: Mayor Paul A. Maroun, Trustees Richard Donah, David Maroun and Village Clerk/Treasurer Mary A. Casagrain.

Absent from the Special Meeting were Trustee Leon LeBlanc and Thomas Snyder.

Also present were Mr. John Muldowney Esq. with Fischer, Bessette, Muldowney, & Hunter, LLP and Mr. Paul Carr our Building Consultant, Fire Chief Carl Steffen, ESB Project Manager Chris Alcocer, Town of Tupper Lake Supervisor Patricia Littlefield, Town Councilman Michael Dechene, Town of Tupper Lake Code Enforcement Officer Paul O'Leary and News Reporters Thomas Selitsky and Dan McClelland.

No Quorum Until 11:20 am

While waiting for Trustee Richard Donah to arrive from another commitment, Mayor Maroun stated the purpose of the special meeting was to give those in attendance an update on the construction status and timetable for the Emergency Service Building Project as well as discuss the current project budget now that a building permit has been issued.

John Muldowney Esq. Overview

Mr. John Muldowney Esq. gave a brief update and summary of his firm's role in litigation against the engineer in this project to date.

Paul Carr Overview

Mr. Paul Carr our Building Consultant explained his role in working with the General Contractor and prime contractors for Plumbing, Electric and Heating and working through the change orders necessary to get the project back on course.

He explained how the change orders reflect the increase in the project cost to bring the building's construction in compliance with the NYS Code Essential Facilities and Energy Code compliance. Mr. Carr adding that the designer mistakes were the result of two crucial elements, seismic and energy code, which necessitated a redesign at this stage of the construction.

He continued by saying that we received a fair settlement with the designer's insurance carrier (AEDA) and the cooperation of disengagement with Hueber-Breuer Construction Company which gave us the flexibility to stay within budget and also made the required construction changes to build a quality building for the community.

Mayor Maroun's Recognition Of Interested Parties

Mayor Maroun took a moment to thank Sean Foran and Hueber-Breuer Construction Company for their assistance in getting the project to this point. Mayor Maroun read the press release aloud and acknowledged that with the voluntary cooperation of Hueber-Breuer to disengage for our benefit and to release Mr. Chris Alcocer from his contract so we could utilize Mr. Alcocer as our Project Manager for the remainder of the construction of the Emergency Services Building we are most grateful.

Mayor Maroun also thanked Mr. Paul Carr, Mr. John Muldowney and Mr. Chris Alcocer for their dedication in getting the project back on course so we can complete the necessary emergence services facility for the community of Tupper Lake.

Questions From The Attendees

Mayor Maroun and related consultants fielded questions from those in attendance until Trustee Richard Donah entered the Special Meeting at 11:20 am.

Call to Order and Agenda Established

Mayor Maroun called the Special Meeting to order and established the agenda at 11:30 am.

Change Orders Approved

Motion by Trustee Maroun, seconded by Trustee Donah to formally approve the following change orders as prepared by AEDA and Paul Carr:

1) J. Hogan Refrigeration contract was increased from $177,777 to $184,885, net change order of $7,108
2) Perras Plumbing contract was increased from $224,875 to $240,165, net change order of $15,290
3) Empire Northeast Electrical contract was increased from $185,500 to $189,306.15, net change order of $3,806.15
4) Bette & Cring General Contracting contract was increased from $1,901,254 to $2,281,697.55, net change order of $380,443.55.

(Carried 3-0)

Discussion on Invoicing Submittals from AEDA

Mayor Maroun briefly discussed request for payment received from AEDA to date. One of the invoices is for $500 for completion of a revised survey map changing the boundary line for the back portion of the lot we have an option to purchase from TL Mill LLC. That invoice will be paid once our permit amendment is approved. The second invoice is for an additional 25% of construction oversight for $10,250. Mr. Carr advised that we would complete the percentages already paid to the GC and Primes and pay according to those percentages. For example, if we are at 25% with GC and Primes we would authorize payment to AEDA in proportionate allotments accordingly. The third invoice was a design request at 30% design to change the heating system from electrical heat to propane heat. Mayor Maroun advised he would reject payment request for this invoice stating he felt it was early enough in the design process and should not have been an additional charge.

Adjournment

Motion by Trustee Donah, seconded by Trustee Maroun to adjourn the Special Meeting at 11:34 am. (Carried 3-0)

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Mary A. Casagrain, Village Clerk/Treasurer