

MINUTES OF THE JOINT SPECIAL TOWN COUNCIL, SPECIAL PUBLIC BUILDING COMMISSION AND TURF STUDY GROUP MEETING HELD ON MONDAY, JULY 25, 2011, AT 7:00 P.M. IN ROOM 207, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Town Council members Timothy Slocum, Stephen Carroll, Michael Ecke, Andrew Falvey, Patti Flynn-Harris, Sylvia Nichols, Thomas Ruocco, James Sima.

Absent: David Schrumm.

Public Building Commission members – Mr. Purtill, Mr. Crooker, Mr. McCardle, Mr. Nash. Turf Committee User members Mr. Behrer and Mr. Oris.

Staff: Dr. Greg Florio, Supt. Of Schools; Town Attorney Dwight Johnson; PW Director Joseph Michaelangelo, Deputy PW Director George Noewatne, CHS Athletic Director Steve Trifone.

1. ROLL CALL

Roll was called and a quorum of the Council was determined to be present.

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. CHESHIRE HIGH SCHOOL TURF AND TRACK PROJECT.

Mr. Slocum said there were two items for discussion – the bid on the turf and the combined bid should there be a decision to go forward on the track and the turf.

Mr. Behrer explained that a year ago work was done by Stantech on a basic design, cost of the field, cost of the track and D-zone, with an all in estimate of +\$450,000 which ended up on the referendum. Since then work has been done on the turf and the D-zone, and it came to light that the bids came back, with the two bidders having the additional cost of the track coming in at a number which gives a sub \$350,000 cost to complete. Being at that number, and when the information went to PBC, the resolution was to come to the Council and recommend both the track and field D-zone be completed. This is recommended because the combined number for the track required an additional \$188,000 to be completed. Given the fact that \$150,000 was available from a few years ago, this is under the \$350,000 mark.

For the turf project, Mr. Slocum noted that the committee is thinking of two vendors, so there are two bids which will ultimately be considered.

In reply, Mr. Behrer said there were two bidders, both within \$1,700 of each other. If just the turf field and D-zone are done, then H.I. Stone is the low bidder by \$1,700, and would get the job. When you look at the combined bid by R.A.D Sports and their numbers for the options (B1, B1-1 and B1-2) they became the low bidder. The number is \$185,000 for the track portion of the alternates.

By taking the alternates, R.A.D. is the apparent low bidder.

Mr. Slocum asked how the cost of the track is arrived at, i.e. track resurfacing. He noted that Item G is part of the track with \$150,000 from the capital budget, and asked how this is added together with the track money under R.A.D. Sports. The Item D is \$314,000.

It was stated by Mr. Behrer that the committee asked Milone & MacBroom to make an allocation based on their analysis of all the numbers, trying to decipher what was the appropriate ratios to apply, and how to analyze how the companies bid because some of the numbers are false numbers. The highest bidder was well over \$1 million saying that their Item A was only \$20,000 (just like R.A.D.) while H.I. Stone says \$67,000.

Dave Dixon, Milone & MacBroom, informed the group that the firm looked at the different components which make up the D-zone. They started with the D-zone. This area is equivalent to 11% of the cost of the track, so it was assigned 11% of some of the preliminary numbers evenly across the board (site preparation, site removals, earthwork and grading). Item D – subsurface draining system has five components which were evaluated, and the cost allocation estimate was 6% for the track improvements. Therefore, 6% of the total number is allocated for the total track in the area of the D-zone.

Mr. Sima stated that Milone & MacBroom made up these numbers, and did not call H.I. Stone to ask how much will you give me for this part of the project. The firm made an assumption.

Based on its experience, Mr. Dixon said Milone & MacBroom made an assumption of an aggregate total of prices being seen on these projects. It would be a little ambiguous to call each of the vendors; you can see where their bids fall; their items are not equivalent. This can be seen from the site removal and site preparation numbers, and the disparity of the numbers. There will be a different accounting by different vendors. From a design and engineering perspective, the information is Milone & MacBroom's best estimate as to how these elements should break out.

Mr. Purtill asked if it would be fair to say...lets not do the D-zone, then the price would not be \$857,100 minus \$127,581. They have not bid it that way; they have said we will do this, including the D-zone, for a total base bid of \$857,000.

Mr. Dixon said that was right. It is a hypothetical number; it is based on square footage; it is an accurate percentage to the decimal point of what represents the D-zone.

The allocation percentage is based on the square footage of the D-zone in relation to the entire project.

Mr. Sima said that when a job is bid it is bid as a whole job, numbers are moved around, and it is bold to come up with these numbers, taking these two vendors versus all the other vendors, and the discrepancy in prices.

According to Mr. Dixon it is an educated guess based on experience.

Mr. Sima said there is a discrepancy from \$300,000 to \$175,000, with numbers built in different spots.

Mr. Dixon said the same percentages are being assigned to both contractors, so regardless of how somebody built their bid, its an even percentage allocated to each contractor.

For clarification, Mr. Slocum asked if the D-zone and track comprise 11% of the total cost.

The D-Zone comprises 11% of the total cost of the track.

Mr. Oris said in Item D you want the lower percent, and it is on a percentage basis for everything other than item D, which is reduced to 6% off of the 11% based on the professional opinion of Milone & MacBroom.

In response, Mr. Dixon said that was correct.

Mr. Oris stated that this is more conservative than 11% across the board, which he believes would be a fair way to do it. Milone & MacBroom has chosen to make it more conservative for item D.

Mr. Carroll commented on the base bid being \$857,000, with \$730,000 for the turf and \$128,000 for the track with H.I. Stone. He wanted an affirmation on the cost of the D-zone.

The cost was in the \$130,000 range plus, and Mr. Behrer said this depended on which set of numbers were being looked at. It will be at least \$130,000+ for the track, with the plus part being \$11,000 which the school paid for the design work with Milone & MacBroom. That brings the cost to \$141,000.

Mr. Slocum noted that the R.A.D. track number was \$327,190 versus H.I. Stone number of \$319,081. The question is where the money is coming from on the Town's side, and does it require a public hearing.

In response, Mr. Milone said a public hearing would be required to appropriate the additional money for the track. This is any money in excess of \$150,000 already approved in the capital budget.

With regard to the cost of the work on the turf and track, Mr. Behrer said it would be lower if the work is done in tandem because of the prep work. In doing the track later there would be site work, prep work and other work which will add to the cost. The school obtained a bid from Dalton for \$250,000 to do the track, which was for a lesser quality track surface than is being designed with the turf project. The savings is \$70,000 doing the work today versus doing it in a year, when it is certain that some building projects will be more expensive. There will also be engineering design work on top of the \$250,000 Dalton bid. Right now it is \$11,000 and it would be more expensive next year.

Mr. Ruocco stated there is already a \$150,000 allocation for the track project, and \$139,000 allocated for the D-zone.

Dr. Florio noted that the fees are not being put in, so it is about \$189,000 to \$190,000.

Mr. Behrer stated that the Dalton number did not include the D-zone, and was just for the track.

It was stated by Mr. Slocum that the D-zone will happen with the turf and this determination has already been made.

As a follow-up, Mr. Ruocco said we put a number out to referendum at \$450,000 and that was coming in significantly less. He said we could have saved money.

Mr. Behrer said that at the time this went to referendum, the turf committee did not have the go ahead to hire an engineer, and go out to bid. The committee did say that the \$450,000 was a high, safe number, and it was expected to be lower. The numbers for the turf side of the project from two years ago is about where we are today. All along we have been making a case based on input from professional people who put in hundreds of these fields. The referendum number which was chosen was an ill-in, sky high type number. Without having bids in hand the committee could not prove the point that the number was to high. It was in May of last year when things started to move forward, and last Fall there was the chance to get an engineering price.

Mr. Sima said the committee is trying to say the track is 11% of the field improvements.

In response, Mr. Dixon said that 11% represents the percentage the D-zone is of the track project.

Of all the five bidders, Mr. Sima said the number for all this work was based on doing the field including the D-zone. The next part was alternates for removing the track surface, doing concrete repair or patching it. Now, the committee is

trying to take that piece that they bid for the field and D-zone and incorporate it into the track.

Mr. Dixon said this is being done for the purpose of determining the overall cost to do all the paved areas of the track, analyzing the money that has been allocated to keep alive at that number, to determine how the cost and monies from different pots get split up.

With splitting out the money, Mr. Sima asked if this is to know how much the track is costing versus how much the synthetic football field is costing...even though they are married together with the D-zone. This is what was presented to the Council a month ago. The D-zone with the hooking up of the perimeter drain and connection to the synthetic fabric all went together and needed to be there, and now this is broken out and made part of the track system.

Mr. Dixon said that is correct.

Mr. Sima commented on a company going out to bid and looking at this as an entire field and their excavation costs is to go around and do the site work and marry everything. This is why he has a problem with the assumption going forward, saying this is 11%...and can understand where they took this number, but is not sure it is proper in general bidding. He asked what is the end goal of trying to come up with breaking out this number for the track.

Mr. Slocum said there will be no difficulty in putting the turf field in place. It is assumed the committee's funds are in place, and the \$525,000 is there. There is an all-in number which looks good to able to achieve that project, and to do the track resurfacing, under a referendum, with a public hearing. There is a number which looks like it makes economic sense, and this is what the Council will vote on.

Regarding the all-in number, Mr. Sima asked if it means that we are taking the initial \$135,000 allocated for the D-zone. There is \$150,000 set aside in the capital budget, plus the additional allocation, and he asked what this number comes up to.

Supt. Florio said the number is \$338,890.

Mr. Sima said the committee is looking for this \$339,000 because it falls below the \$350,000 for public hearing.

Mr. Slocum stated that a public hearing would have to be held anyway, but the number is below the referendum threshold.

According to Mr. Sima there is no real reason to break this out.

Mr. Slocum said there is a reason if the Council wants to make the decision to have the public hearing to ask for the additional funding, and vote on the issue. Otherwise, we can sit this out, wait to next year, and have a referendum on doing the track.

The \$339,000 is out there so we know it is not exceeding \$350,000, and Mr. Sima questioned if this takes in all the contingencies which may or may not be found by ripping up the existing track. Or will there be patch and repair, and resurface.

Dr. Florio advised there is \$10,000 built in for asphalt repair, which is considered to be the only potential contingency for the track. The contingency on the football field is \$30,000.

Mr. Sima commented on taking \$40,000 plus \$10,000 for the track, and asked if the \$40,000 incorporates the \$10,000.

Mr. Behrer explained that \$40,000 is for the turf field.

Mr. Slocum stated that had it not been for these prices, and there were higher prices on the track, having to go to referendum, the bid would be out there just for the turf. We can't wait for a referendum to pass the track and turf at the same time. This is really a question of timing and pricing to be able to do it all at one time.

It was stated by Mr. Oris that if it is decided to not do the track, there is still required work which must be done to this track to get it ready to be used for the season, plus or minus \$5,000. This is another consideration if the track is not chosen to be done at this stage.

Since we have to go to a public hearing, Mr. Falvey said this will take some time, and the turf committee is looking to get going with this project. He asked about the contractor getting started on the assumption of doing both the turf and track. If the money is not there for the track, he asked if the contractor could scale back or change plans after the work is started on just the field, without causing problems for the track. He asked if it is all or nothing from the day they start work.

Mr. Behrer asked the time frame for a public hearing to appropriate money.

The group was informed by Mr. Milone that it is a minimum of 5 days. The Council meets August 9<sup>th</sup>; the public could be called on Wednesday night with ample time for the hearing on August 9<sup>th</sup>; then there is a 21 day period after the Council acts due to the potential for voters to petition for referendum. So, the money is not available until August 30<sup>th</sup> or August 31<sup>st</sup>. Mr. Milone said he must sign the contract, and cannot sign a contract on an expectation of money being

approved. There must be an appropriation in place of a fixed amount of money, not an expectation of dollars.

If it appears that the expectation of doing the track is there, and a public hearing is required to listen to the people, and the Council changes its mind and says 'no', Mr. Behrer said the contract would have to go to H.I. Stone if just the turf field is being done. If there is a positive response to do the track and turf field, Mr. Behrer said the resolution would be to give the contract to R.A.D. Sports.

The group was informed by Mr. Milone that following the public hearing the public can petition for referendum on the project, and they get 21 days to get 10% of the voters to petition. This is why the money is not available by Council approval. If it was under the public hearing limit the money could be appropriated by the Council, and available that night. Because the matter calls for a public hearing there is a 21 day waiting period. The public hearing limit is \$175,000, but the project must be aggregated. This cannot be looked at as a stand alone, but as part of the previous appropriation, and they must be married together.

Mr. Ecke said the only way to make this project work for this season is for the Council to choose the vendor by this Wednesday, and somehow start the turf portion of the field. Then, if the track portion is approved this work starts afterwards. With the 21 day waiting period we are looking at another whole year for this project.

With a decision to be made this Wednesday night, Mr. Slocum stated the determination to be made is that the bidder is the best one for the entire project. This is how the decision must be made.

Attorney Johnson commented on how this can be done, assuming the vendor goes along with it. There would be a contract signed contingent upon no appeal of the Council's decision. Assuming there is no appeal, at the end of August the vendor would begin to work on the turf field. We need to find out if they could begin working on the turf field earlier with the idea that after August 31, if necessary, the Town could pull back on the track.

Mr. Johnson clarified his statement...sign the contract once the Council approves the vendor; part of the contract that addresses the track would be determinable by the Town at the end of August if there was an appeal of the Council's decision; and the vendor would continue and do the turf portion of the project, and not the track portion.

With regard to the mood of the Council, Mr. Ecke asked if they want the track to be done. If the Council does not want the track done, then this is a moot point anyway. He asked for the Council feelings on this issue.

Mr. Falvey stated it makes sense to do the track at the same time because it will save the Town money from doing the track as a separate project in the future. He supports doing the track and turf field simultaneously as an overall project.

Ms. Flynn-Harris said that if the track is done later under separate bidding, we could wind up with a separate contract, having a conflict of what was done previously and with the new contractor. This would give more problems further down the road. It makes sense to do the turf and track projects together.

Mr. Ruocco favors doing the track but is unsure about the turf project.

Mr. Carroll supports doing the track and turf projects together for the many reasons which have been mentioned at this meeting. He also knows the turf group feels like this project has gone on forever. As a more deliberate person, he would probably say do it together, we have the bids, and the project will not happen as fast as we want, and may not get a game in this year. But, barring a concession with the vendor as laid out by Attorney Johnson, Mr. Carroll would still want to do this project together. With that, the earliest start date would be August 31<sup>st</sup>. The turf group has to be prepared to have the vendor agree to this contingency, and wait to August 31<sup>st</sup> to get the project started. Doing the projects together is the right way to go.

The group was informed by Mr. Behrer that R.A.D. Sports has already given a written response that they can do this in 2 months as far as the field is concerned. The track will take a little longer. Moving forward in a positive note will save the Town some money doing both projects.

One question was raised by Mr. Sima, who said the track is very old and we are spending a lot of money on the Town side to patch the track. He wonders, in the cost, how much more it would be if all the asphalt were ripped up and new asphalt put in.

Mr. Dixon (Milone & MacBroom) reported that the track has held up well, and that is borne out well by the test pits, sub-surface, and cross section. Few tracks look as good, at this age, as the high school track. The contractors have looked at this, and it was suggested at the pre-bid that they walk the track, take a very close look for their thoughts, for indications of failures beneath the track. The numbers for linear foot/square foot price B 1-1 and B 1-2 give a sense of where the contractors think the amount of repairs may be. There is also \$20,000 worth of contingency built into this. We know what we are up against with the synthetic turf, and that is a given number, negotiated up front, and it is a solid number. This number will not change. We know what the sub-surface conditions are like; it is not expected to see rock or ledge; so there are few areas of work where the contingency may come into play. Basically, we are going to repair bituminous, and there is \$40,000. If there is \$40,000 worth of patch and

repair out there we should replace the entire track surface. Mr. Dixon stated it is unlikely too much of the contingency will be eaten into to do this work.

The track is 18 years old and Mr. Sima said the asphalt underneath is that age. If we cover this track with a new layer of rubber product, we will be covering old asphalt, and he asked if this will last the life of a normal rubber coating.

Mr. Dixon explained that areas that are susceptible to or are showing signs of cracking or deterioration will already be dealt with. There will be no new rubber on that track until all areas have been satisfactorily patched and the contractor, who will warranty the rubber, is satisfied that when the rubber is put down, it will not fail.

Mr. Sima asked if the 10 year life surface of the track will be there.

Mr. Dixon stated it is a 20 year warranty for the track. The EPDM should last for 20 years on the track, assuming that every 5 to 7 years it gets a new structural spray coat and the lines are painted. That is the maintenance practice on all tracks.

Ms. Nichols stated that in any project it is important to think through all the details and insure the work is done economically. The details of this project have been thought through and reviewed for a long time. Ms. Nichols said she senses the frustration of those who want this project completed quickly, but thinks the time frame for a few more weeks should not make a difference. The track and field should be done together, and the economies are there. We should seek to get the contractor to agree to the concessions stated.

Mr. Ecke said we are talking about September time frame now, and this is a joke, with this going on way too long, with the process made painful by people at this meeting.

A question was posed to Attorney Johnson by Mr. Behrer regarding what must be discussed with the contractor, and under what terms work could be started, and under what terms does he have to wait.

Attorney Johnson stated we are talking about a public hearing on August 9<sup>th</sup>. The Council could immediately vote to move forward. He would plan on having a contract in place by August 9<sup>th</sup>, ready to be signed on the morning of August 10<sup>th</sup>. The contract would cover both the turf field and track; it would give the Town the right to cancel the track portion at the end of August, in the event a referendum was demanded during the 21 day period. There must be discussion with the contractor on how quickly the track could be done and football field. One question would be how quickly the football field would be usable, and it may not be usable as long as the contractor is working on the

track. If the field is not usable until the track is completed, there would be the question of how quickly both the track and field would both be completed.

In connection with that, Mr. Slocum said the contractor may have a concern with working on the turf area, as they must be careful with the track. The turf project will have to be operated as if the track was not being done.

Between now and Wednesday's meeting, Attorney Johnson said we should get a sense of whether this approach makes any sense at all.

Mr. Dixon stated that as long as we can start early there is nothing the contractor would object to. The reason for this is due to much work to be done inside the track. Part of doing the turf is doing the track edge drain also. The contractor would not be delayed; he would not be doing the track resurfacing until October. The track protection would still have to be in place. What is important is that there be no delay in permitting the contractor to go forward with the turf component, as this must start immediately upon authorization. Pushing this all off until the end of August, and the contractor starts the whole project on September 1<sup>st</sup>, we are in jeopardy of getting the EPDM down due to weather and temperature. We would be pushing into November.

For practical purposes, Mr. Slocum said it is reasonable to go forward with authorization for the turf project.

Regarding the possibility of a referendum, Mr. Behrer asked how this is initiated, and how many have been done in Cheshire.

Mr. Milone explained that there is a requirement of signatures of 10% of the registered voters for a referendum. Last time there was a budget referendum was in 1992, but in over 20 years for a Council approved project, there has not been a petition for referendum on a special appropriation.

Stating he agrees with Attorney Johnson's changing the contract, Mr. Sima said this keeps alive the \$338,000 for the synthetic turf. He asked how many days for this number.

Mr. Dixon believes the date is October 15<sup>th</sup>.

If the turf is not purchased by October 15<sup>th</sup>, Mr. Sima said they can change the number. Otherwise the number is set.

We have the funding, so Mr. Behrer said that is not an issue, as the product can be purchased within that time frame.

In the scenario being talked about, Attorney Johnson said the contract would be signed on August 10<sup>th</sup>, so the price would be locked in at that point. The

contingency would alter if the referendum petition was filed. Then the Town Manager could have the authority to cancel the track portion of the project.

Mr. Dixon said it is critical to understand that the turf vendor is not going to manufacture this product without a contract. It takes a while to manufacture the product. On August 10<sup>th</sup>, if the vendor knows and a contract is signed, he will start the wheels in motion to insure the turf is ready when the contractor needs it. If we wait to September 1<sup>st</sup>, we are in jeopardy of the turf and the EPDM installation, as it will be cold and late in the season.

If the chosen vendor is R.A.D. Sports with the assumption of doing both projects, and the track portion is removed, they are no longer the low bidder. In that instance, Mr. Oris asked if H.I.Stone would have a claim against the Town.

Attorney Johnson said a claim is very unlikely, because money is not the only issue taken into account in selection of a vendor. The Town can, in cases where the interest of the Town dictate otherwise, take the non-low bidder. In this case it is expected that R.A.D. Sports will be the low bidder.

Stating there is an option, Mr. Oris said if there was a preference to go with H.I. Stone, options B-2 and B-3 could be chosen, which is another \$5,000 for the net sleeves. In both cases, this makes H.I. Stone the low bidder. For another \$5,000 it is a benefit to the turf program to have the sleeves in the ground. The issue could be alleviated, in both cases, if B-2 and B-3 were chosen, adding another \$5,000 to the turf side, the risk is eliminated with H.I. Stone being the low bidder in both cases.

Attorney Johnson stated that the risk is very small.

Chairman Slocum stated that the Council needs to know that the PBC is recommending a bidder on Wednesday night.

Mr. Behrer commented on a resolution being made by PBC to choose R.A.D. Sports, do the track and turf field combined. He cited an additional point on why R.A.D. is chosen, because they said they could do the turf in the D-zone in less than 60 days. H.I. Stone said they could do it within the terms of the contract which is 72 days. R.A.D. Sports is the preferred vendor. Therefore, the resolution of the PBC remains.

Deputy PW Director Noewatne asked a question on the overall project at \$1,134,500, with all the contingencies, and what happens if it goes to \$1,134,501 due to something happening. The PW Department and PBC has to administer this project, and Mr. Noewatne asked how the Council would move forward in this instance.

Chairman Slocum commented on the contingencies in the numbers cited by Mr. Dixon, and we must take some comfort that there is a \$40,000 contingency.

Town Manager Milone shared the concerns of Mr. Noewatne, because there is always the eventuality that we could get to the finish line and need \$1,000. If that happens, the question is how soon the contractor would tell the Town that he is close to exceeding the appropriation. The greater the advance notice the better the opportunity to react.

In reply, Mr. Dixon said this would be known 2/3<sup>rd</sup> into the project. If the contractor knows he has both components, it is not unlikely he would go ahead and start stripping the surface. It is possible to know the status earlier than 2/3<sup>rd</sup> into the project. Based on information given to the contractor on Tuesday, Mr. Dixon would ask for an update to their preliminary schedule which would be shared with the Council and turf group.

One point was emphasized by Mr. Milone, that all the Council has done to date is accept and appropriate \$525,000, and \$150,000. The additional money for the track has been addressed by Attorney Johnson in the way the contract would be developed. But, there is money that has been raised by a private group, and that money has to be accepted and appropriated by the Council on the night of the vote for Mr. Milone to sign a contract. There must be a check in hand.

Mr. Slocum stated that the turf committee fund raising efforts must bear their fruit to the Town Council with a check in hand before the Council meeting. All funding sources must be identified.

Mr. Behrer advised that the check will be given to the Town of Cheshire in the exact number is \$270,610. The indication is that the \$40,000 contingency fee is being paid by citizen donations. It has been his discussion and comment and feeling that any extra money which is not used would be returned to the turf committee by the Town when all bills are paid and settled.

Chairman Slocum said that was fair. With regard to the Council resolution, that will be drafted by Attorney Johnson. Mr. Slocum said the Council would be appropriating about \$188,000, and asked if those sources would be identified by the Board of Education.

The group was informed by Dr. Florio that the BOE has requested \$175,000 in the capital budget, and has approved such a request to the Council for the additional funds.

On Wednesday night the Council has to identify how much money is being appropriated for the track, the \$150,000 for the proper call of the public hearing. If these are the numbers, we would be adding \$188,890 from special appropriation to the \$150,000. The funding source from the Town for this money

will be bond funds. During the capital budget process the plan is to de-authorize a significant amount of bond proceeds. It is too complicated for bond counsel to transfer from de-authorized to authorized. It is cleaner to just appropriate and de-authorize projects that will exceed \$1 million. This has been done before with a road project a few years ago, without a public hearing because it was under the required amount.

For clarity, Mr. Sima said there is \$150,000 appropriated in the past, and another \$189,000 will be requested to pay for the track project. The vote on this will be on August 9<sup>th</sup>.

On Wednesday, Mr. Slocum said the Council will vote to appoint the contractor for the projects.

Mr. Ecke clarified that the engineer will be empowered to speak with R.A.D. about the time line of the project. If the company cannot do what is asked, he questioned if there can be a talk with Stone about the same issue.

Stating that Mr. Ecke is correct and if R.A.D. cannot do it, Mr. Oris said there is no reason why the group cannot talk to Stone. The resolution could be modified in the event R.A.D. says no, and Stone says yes.

It was agreed that this could be done.

Mr. Purtill, PBC Chairman, was asked if PBC could post a contingency meeting, and this was agreed to.

The recap of the meeting was reviewed by Town Manager Milone.

- Wednesday night, 7/27/11, there will be call of a public hearing for the special appropriation of \$188,890 for the track project.
- The Council will be recommending the award of the contract to R.A.D. Sports.
- The Town Attorney will draft a contract recognizing the fact that the track portion cannot start until the 21 day period after the public hearing has run.
- The Town Manager will have the authority to sign the agreement, absent the \$188,890 for the track portion.
- On August 9<sup>th</sup>, the Town Council will accept and appropriate the balance of the funds up to, but not including, \$188,890, which funding must wait until
- August 31<sup>st</sup>.

- The Town of Cheshire will accept the cashier's check from the Turf Committee in the amount of \$270,610.

Matt Bowman asked about the sleeves around the track, and if this is something which the athletic director recommends, the PBC should take this into consideration.

Steve Trifone, CHS Athletic Director, stated he has talked about this with Mr. Behrer. The versatility expands if the netting can be done to allow for more utilization of the field, without interfering with activity on the track. This allows for use of the whole facility at once. And, for \$5,000 if this can be done, it is a great option.

With the \$40,000 contingency, Mr. Purtill said there is money to pay for the netting. A change order could be issued further down the road in the project. Nothing is done with a change order until it is known where we are with the contingency.

Mr. Bowman asked that the \$5,000 for netting be taken into consideration.

#### 4. ADJOURNMENT

MOTION by Ms. Flynn-Harris; seconded by Mr. Falvey.

MOVED to adjourn at 8:22 pm.

VOTE The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk  
(transcribed from tape)

