MINUTES OF THE CHESHIRE TOWN COUNCIL SPECIAL MEETING JOINT WITH THE PUBLIC BUILDING COMMISSION (FOR ITEM #5) HELD ON TUESDAY, APRIL 27, 2010, AT 7:30 P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present
Council Chairman Tim Slocum; Vice Chairman David Schrumm; Justin Adinolfi, Michael Ecke, Andrew Falvey, Anne Giddings, Thomas Ruocco, James Sima, Timothy White.
PBC members – Chairman Putrill, Mr. Goldberg, Mr. Nash and Mr. McCardle.
Staff: Michael A. Milone, Town Manager; George Noewatne, Deputy Public Works Director/Town Engineer; Gerald Sitko, Economic Development Coordinator.
Guests: Matthew Bowman, Chairman West Main Street Scape Study Committee And Thomas Sheil, P.E. Milone & MacBroom; Attorney Floyd Dugas.

1. ROLL CALL
The clerk called the roll and a quorum was determined to be present.

2. PLEDGE OF ALLEGIANCE
The group Pledged Allegiance to the Flag.

3. WEST MAIN STREET STREETSCAPE STATUS REPORT
Mr. Bowman informed the Council that the phase 1 of the project is out to bid, with the return of bids on April 29th. It took very long to go out to bid due to waiting for DOT and DEP approval. Milone & MacBroom started the initial design, looked at the culvert which is deficient, and they notified the State of Connecticut about the culvert. The State plans for the culvert work to be done in 2011. There are temporary and permanent easements needed to reconstruct the culvert. The approval by DEP and DOT is of benefit to the Town, and there will be trail crossing on West Main Street, with the State paying the costs.

Phase 1 will be on the west side of the street (Anderson Tire, Strollo’s) to Ives Row. This has been bid and it is expected there will be good bids returned for the project, saving money for the Town and the State. After phase 1 is completed, the Town must go out to bid for the east side, leaving space in the center for the State to work on the culvert and trail crossing.

Mr. Sheil noted that this is the first of three large projects; phase 1 is out to bid; phase 2 is the culvert replacement; and phase 3 will be 2nd part of the streetscape. The culvert work is estimated to cost the State about $1.5 million; there are many below grade issues; and the project should begin in 2011. Phase 1 is modest and gets the momentum built up. The DOT has spent time studying the Farmington Canal Crossing, held many meetings on this important issue on this heavily traveled traffic area. DOT put together a great effort to resolve the crossing of the trail safely across a busy road. The State will take on some of the
costs, install a safety island (Island of Refuge), have a full system of traffic working measures (lights, beacons, etc.) and is working with the Cheshire Public Works Department, Fire and Police Departments. Phase 1 is 800 feet of work, new landscaping, walkways, and it will stop at Railroad Avenue.

Mr. Sitko explained to the Council that the committee has worked with the property owners. There were many meetings with them on issues such as elimination of some curb cuts, new sidewalks, granite curbing, concrete pavers, and the overall look of the street scape. Part of the $900,000 in STEAP grant money will be used for Phase 1. Mr. Sitko noted that the property owners are positive about the project, and if all goes through, some will be upgrading their own property sites. This has been a difficult project, and required coordination between the Town departments, DEP, DOT, property owners, and gas company. Everything must come together, and it is a major effort, and when the trail comes through this area of Town will have a major revitalization.

Stating that part of this area of Town falls within his 3rd District, Mr. Falvey expressed concerns about the safety of the trail crossing, particularly with fast moving traffic. He assumes the road must be redesigned around this island of refuge, and asked about eminent domain issues for redesign of West Main Street. He has concerns about who will pay to change the dynamics of West Main Street for the island of safety for pedestrians crossing the street.

In response, Mr. Bowman stated that this will be done as part of the culvert replacement, without eminent domain, and since this is State property the State came up with the solution. The committee looked at all the options, i.e. the street light at Willow Street. Milone & MacBroom did a study on the foot traffic on the trail system, and the Town qualified for a light at Willow Street. There was a decision made to put in the island of refuge, and the committee went back and forth with DOT coming up with a solution. As part of the project there will be a conduit installed for a person to press a button to slow down traffic, letting drivers know there is a walkway and pedestrians getting ready to use the walkway. There will be east and west signals for drivers to know someone is crossing.

Mr. Falvey is concerned about payment for the eminent domain and the heavy traffic on West Main Street, particularly trucks taking up huge amounts of space to slow down. He asked if anyone looked into the amount of time it takes a tractor trailer truck to stop on the hill. Mr. Falvey has a fear of someone getting run over on West Main Street.

These were some of the same concerns of the committee and Mr. Bowman said the State feels this is safe, and it is their road and the State came up with the plan.
Mr. Adinolfi commented on there being no stopping of traffic, just slowing down so people can cross safely. He asked about the time frame for completion of Phase 1, and the overall time for completion of the entire project.

2011 is the start date for the DOT work on the culvert, and Mr. Bowman said the committee wants to close West Main Street for one weekend or a few days in order to have the culvert work done. Otherwise this could be a 3 or 4 month ordeal which will impact businesses and traffic.

Mr. Sheil said the DOT needs to fund their project, and all the management studies designate starting the culvert project in 2011. Phase 2 will start when this work is completed. With regard to the DOT schedule, Mr. Sheil noted that there is only a verbal statement on the schedule, nothing in writing, and the culvert is a failed structure which must be replaced for the sake of public safety. DOT is interested in getting the work done, and it will be in the best interests of the Town and the State to get it done.

Mr. Adinolfi believes there is some connection between the State and the crossing on the island of refuge due to the Town’s willingness to develop the Linear Trail at some time.

According to Mr. Bowman this is not tied into the project, and the crossing is tied in for $1 million. The Town tried to be proactive to see many things, and this is the solution which was developed.

This committee was formed in 2007 and Mr. Bowman stated that it has been a long process with many meetings and hours of work. He noted that many board, commission and staff members have assisted in the committee work. It is a great committee and a great plan.

Regarding the trail, Mr. Sheil stated that the DOT had interest in the Dalton settlement, and this satisfied the DOT that Cheshire was serious about the trail and this is the reason for the island of refuge.

Mr. Adinolfi wanted to know what the Town had to do with the trail crossing.

Mr. White asked if there was a picture of the island of refuge planned for Cheshire or of any other such island. He said he was picturing guard rails or bricks.

The island of refuge is 10 ft. x 60 ft. along a curbed area in the road, creating a lane of traffic east and west, framing those traffic patterns. The trail from the south side will come up to West Main Street, with a sidewalk along the street. The pedestrian will be faced with the option of going across the road if traffic is not present on both sides. If there is traffic on one side, the person can go into a 10 ft. x 10 ft. flush area protected by 6” curbing on all sides. The vehicles go
around the curbed area. It is a design used in major cities, and the DOT bought into it. The committee and Milone & MacBroom discussed many ideas with the DOT and worked together to get the solution to the pedestrian crossing.

Mr. Bowman said the committee would have preferred a light at Willow Street, but this is what DOT came up with. DOT appreciated the Town and committee coming to them with a problem and working together for a solution. He noted that a gun was not put to anyone’s head, and nothing was forced.

Regarding the $900,000 Mr. Schrumm said that part of this grant will be used, and the amount will be known when the bids are opened. Then, the eastern side will be done, and he asked if this is coordinated with the site work on the culvert so the road is not broken up more than once.

The culvert work is set for Summer 2011 and Mr. Bowman said that State could put this off for a year if something comes up. The committee would like to finish up the street scape up to the portion that meets the State culvert. The State connects the last dots to both ends. The Town will be ready to go to bid on the second phase in Spring 2011.

For the West Main Street crossing, Mr. Schrumm said this is a good idea, and with the traffic narrowing, the vehicles will slow down. Mr. Schrumm commended the committee and Milone & MacBroom for their work on this project.

Ms. Giddings commented on the island of safety being more protective than the one on South Main Street.

Mr. Sheil said this island will be a curbed area, with a different look, and will be safer.

Mr. Sima asked about the flashing light and signal button with the light only flashing when someone goes to cross. The signal light is about 400 feet away. He asked what signal will be given to the pedestrian to make sure traffic has been warned. Once the person enters the cross walk traffic should stop.

It was explained by Mr. Bowman that the Town is providing the crossing and conduit for the warning lights, but is not installing any of this. When the trail comes it will be a few years out, and with advances in technology the conduit may not be put in, as it could all be radio controlled. At this time there are no answers to that.

Mr. Sheil said there is a warning beacon 400 ft. up for the cars, and there will also be a beacon at the crossing.
For the crossing and the railroad right of way, Mr. Falvey said that because of the change of ownership between the federal and state governments, and going back to eminent domain, we know with the island of safety we can deal with the ground of that trail, rebuild Rout 70 around the island of safety. His concern is having a narrow stretch of road because the State will say we cannot go left and right of what they have now. We will have to expand the road 10 ft. in the middle, with an 8 ft. lane in the middle of the road. It will be difficult to get cars through this section.

In reply, Mr. Bowman said that the State can do anything they want at any time. This is their design. This question was not asked, but numerous ones were asked. For the area Mr. Falvey is talking about, actually acts, as someone is turning to have the ability to go around. There will be a traffic calming effect, and this is the State design, and they see it as a safe crossing of West Main Street.

Mr. Sitko informed the Council that Yankee Gas and the PW Department did look at their plans and there is no disruption anticipated for West Main Street. There will be the street scape improvements and then the gas company will come back and rip up an area. Yankee Gas has advised that they will be in the west end area sometime in July.

Town Manager Milone stated that there is $200,000 placed in the FY 2010-11 capital budget as part of the plan to supplement this project. The $900,000 may not be enough, and may have to be augmented what was received in grants.

Mr. Bowman thanked the Council for listening to the presentation on the West Main Street Scape project, and for their support.

4. DODD KITCHEN PROJECT STATUS REPORT
Vincent Masciano, Director of Management Services, BOE, reviewed the project status with the Council. For this project the Council had previously appropriated $320,000 to renovate the kitchen at Dodd Middle School. Of this amount, $280,000 was estimated for construction costs. The project is divided into two phases. Phase 1 would take the lower level, freezer and cooler, shut this down, and expand the loading dock area for the freezer and cooler. Phase 2 is the redesign and improvement of the serving area for the students.

The bids for phases 1 and 2 were out, and the lowest bid came in at $353,000 versus the estimated $280,000, and the range of bids went up to $500,000. A decision was made to narrow the scope, do phase 1 with reworking of the loading dock, install a new freezer and cooler, and put out to bid. In April 2010 bids came in with the lowest at $310,000, still above the estimated amount of $280,000. On April 8th the PBC voted to accept the $310,000 low bid from Generini Construction, and this is subject to funding and contract approval by the
Council. The total estimate for completion of phase 1 is $369,500, so there is a shortfall of $49,500. $30,000 of that amount is the difference between the $280,000 and the $310,000. $13,500 is added to the budget for inspection of the area, asbestos abatement, and another $6,000 construction contingency added. This is how we are at the $49,500.

Mr. Masciani commented on the difficulty with a tight time line, wanting to get the project started in May with completion by the time school starts, and the project needs to get moving. The proposed solution is that the BOE meets on May 6th, and will be asked to authorize use of the BOE capital non-recurring building maintenance fund of $49,500. If approved, then the matter comes back to the Council to ask for contract approval to begin construction.

At the May 11th Council meeting, Mr. Slocum said it is anticipated that this will be an action item for the Council, and keep on time with the project. Mr. Slocum thanked Mr. Masciani for informing the Council of the situation.

Mr. Falvey asked about the additional cost as anticipation of additional time, or if the project can be done for start of the school year.

Mr. Masciani said the BOE wants the project done in the summer. The additional cost is compared to the estimated budget, and no additional work was added to the project. It is expected that the project will be done according to the time frame.

Mr. Sima asked if Mr. Rioux, BL Companies, and BOE made a conscious decision to include in phase 1 conduit movement and alterations to improve the new serving line. He said the mechanism to start phase 2 was added in the bid. The bid is not truly just phase 1, but also part of phase 2. His concern is that this should not have been included, and the BOE should have stayed on task, and just done the loading dock, cooler and freezer. Mr. Sima does not understand why, with the first highest bid, that BOE kept a portion of the new serving line in the project. He said the BOE did not want to give up anything, and we ended up with a high number again.

In response, Mr. Masciani said that Mr. Rioux could not be at this meeting and he is filling in, and Mr. Rioux has all the details. He believes the portion of phase 2 included is electrical work without any change in the serving line. This will be further addressed with the Council at the May 11th meeting. Mr. Masciani said the expectation of the electrical adjustment in preparation for phase 2 is that it would come in at $280,000, and it did not.

Ms. Giddings asked about removing the electrical work of phase 2, and if this is possible, and if there is an estimate of the cost of this work. She noted it went out to bid as a complete job, and it was not done in parts.
According to Mr. Masciani the project went to bid the 2nd time with the narrow scope of phase 1 and electrical work of phase 2. It was done as a complete job not in parts. The problem in going out to bid again is losing another 3 weeks of time.

At the PBC meeting, Mr. Sima said it was brought up that there is a possibility of the Town purchasing the refrigerators, and having them delivered to site. There was dialogue on who will tie it in and move it around, and PBC pushed this away as there is always conflict on who has ownership of that. It is better left to the contractor. It was put out as money saving, but in the end could cost more money.

5. PUBLIC INFORMATION SESSION ON COMMUNITY POOL PROPOSALS

Chairman Slocum reported on the history of the pool subcommittee which was formed two years ago. The RFP was produced by Town staff to solicit proposals; 6 came through for permanent pool enclosures; this was narrowed down to 4 proposals; there were a series of public meetings with public input; and this Council with a unanimous vote approved two proposals to be looked at for PBC review. On January 12th the Council named four special users to the committee and the committee embarked on its work.

The time table going forward was cited by Mr. Slocum who said the Council is looking at tonight’s presentation. Then, from tomorrow to May 10th the Council will meet and select a proposal. At the May 11th meeting, it is hoped the Council can call for a public hearing on the pool enclosure selected, and at that time the full price of the proposal must be stated. By May 18th or 25th, Mr. Slocum said the public hearing will be held, with a public referendum on the pool project on June 22nd.

Mr. Sima explained that the RFP was created from the Pool Subcommittee and Town staff. There were 6 responses, and the committee narrowed it to 4, including the open air concept. In the RFP there was a basis for the proposal. Two proposals were chosen out of the four. Mr. Sima cited the basis for the proposal into the record – Create to the extent possible an economic, self-sustaining pool facility by reducing operating costs and improving the overall quality of the natatorium conditions, aesthetics, air quality, etc.; Increase attendance and program revenue; Create a more affordable, sustainable and efficient natatorium; eliminate problems with the permanent structure that are attributed to the air supporting structure being directly attached to it; and a Year Round Pool Structure will be considered that better addresses the goals. Mr. Sima believes that the two companies chosen through the review process answers all the questions.

Mr. Sima acknowledged the people on the Evaluation Committee who have worked so hard over the past few months. He noted that if the Town had to pay
people to do this amount of work it would have been tens of thousands of dollars with the amount of expertise that has gone into this study. The committee went over finances, heating, ventilation, humidity control, structures, performance based contracting, alternative energy sources, etc. Mr. Sima thanked the committee members for their expertise and work they performed on the project.

Mr. Sima recognized John Purtill, PBC Chairman, PBC members Keith Goldberg and Mark Nash; Energy Commission members Lew Cohen, Dave Gavin, Bill Jacques, Bill Kunde; Pool Facility Users/Operators Sheila Adams, Bob Ceccolini, Doug Levens, Kevin Wetmore; Town Council members David Schrumm, Tim Slocum; Public Works Department staff Joe Michaelangelo and George Neowatne.

Mr. Sima stated that the original numbers presented were lower than what will be seen at this presentation, and it all came out through the vetting process. He explained that every vendor was questioned on the inclusion of everything, and it was found they did not, and there is now comfort in the numbers.

John Purtill, PBC Chairman presented a power point presentation to the Council and audience. Mr. Purtill noted we are talking about a small section of the pool…the bubble enclosure. $300,000 was spent last summer on the building and it is in good shape now, and problems are resolved on the humidity issues in the administrative spaces. The bubble is 7 years old, has holes, and is expensive space to operate.

The final evaluation is for two proposals – one from KBE Building Corporation & BL Companies (Architect), and the other is from GF Rhode, Open Aire and Meyer & Meyer (Architect). BL Companies has done prior work for Cheshire in designing and overseeing construction. GF Rhode is a new contractor to Cheshire, and it has partnered with Open Aire, a Canadian corporation which specializes in natatoriums, water parks, etc. and has a signature, open, glass structure, with construction all over the world. Their architect, Meyer & Meyer, has designed a structure that will match up with the existing pool building to give us what we expect to see from it. The firms were asked to evaluate finances, energy savings, user needs and other factors, as needed. With high construction costs, energy savings go down. A new method had to be adopted in looking at projects. Life cycle costing was looked at, considering total costs of both ownership and operation over a period of time. Costs of operation are important with a pool facility.

A new concept of design/build was used for this pool project, and it has never been used in Cheshire before. The architect and construction company develop a design concept, present it to the Town for consideration, and this is how we got to two finalists.
User needs are very important in this project, and there had to be consideration of the swimmers, people who manage the pool, and the citizens who will have to pay for the pool. Input was received from many people on the needs of the pool. The committee met its March 15th deadline, but kept working on the proposals with changes.

It was stated by Mr. Purtill that the PBC does not make the decision...the Town Council makes this decision. On the subcommittee there is different thinking about which proposal is best. But, the goal of the committee was to give the Council and the Town as balanced and unbiased view of the construction of the two alternatives. There were 16 people on the committee: John Purtill, PBC Chairman, PBC members Keith Goldberg and Mark Nash; Energy Commission members Lew Cohen, Dave Gavin, Bill Jacques, Bill Kunde; Pool Facility Users/Operators Sheila Adams, Bob Ceccolini, Doug Levens, Kevin Wetmore; Town Council members David Schrumm, Tim Slocum; Public Works Department staff Joe Michaelangelo and George Neowatne.

Evaluation Approach – match user needs and contractor offerings. The committee took a field trip to a facility for each of the final two companies.

KBE – field trip to the Jewish Community Center in West Hartford, CT which is an excellent facility, gets a lot of usage, and is very successful. The pool is of a smaller size, in excellent condition, and serves the Center very well.

GF Rhode – field trip to the Milford CT YMCA which originally had a bubble, which was replaced with an Open Aire structure.

The committee was divided into 6 sub groups each working on a main element of the project. They developed lists of questions and needs for both contractors, with goal of using this in a shoot out between them. Each contractor gave the committee a second presentation; there was a great question and answer session; and it was realized these two companies were working off two separate set of specifications. The committee had to stop and develop specifications which both companies could be expected to meet. Without these specifications, going forward with either company, there would have been many change orders. For example, neither contractor put in the Davis Bacon or prevailing wages to be paid to people working on a municipal job. This was a $1 million omission. Also included in the specs were the needs for ventilation, and many other things. It was good for the committee to have this, then go forward with a comparable of two very different proposals, data about each one of them. Mr. Purtill noted that the committee has not finished with the specifications, and if one of the contractors is selected the committee will meet with them and nail down the specifications in more detail. There were supplemental meetings between the contractors’ energy people and the Towns’ energy people, with energy as a major focus of this project.
Six Evaluation Factors include the following items.

Construction Specifications – what the contractor is offering as a building.

Capability of the Contractor – the schedule, amount of outage time for non-operation of the pool.

Energy Consumption/Mechanical Systems.

User Needs – what the users expected and what they would get out of each proposal, with evaluation for each one.

Financial Impact – including construction costs and life cycle cost for total ownership and operation over a period of time. The cost of financing the project (cost of interest) was also included in the evaluation. This is an all in costs as opposed to the bare bones cost which is often seen.

Effect of either proposal on the operating budget of the pool was also looked at. Now, the Town has a $300,000 annual subsidy for the pool, and the goal is to reduce this subsidy.

KBE Building Corporation – has given us an enclosure that repeats the curvature of the existing building; has operable sliding doors on the perimeter and remote control doors on the top of the structure for some natural ventilation. The building would look like a gym or sports arena. With this type of structure users will have the same contact with the outside, have picnics, and would use it much the same way as the existing pool is used but with a roof over their heads. $4.1 was the initial cost estimate, and the final overall cost is $5,444,183. When the job was looked at, much was omitted from KBE’s proposal, and it was about $1.5 million in omissions. The PBC final cost is about $5.5 million. This includes the Town’s infrastructure, Clerk of the Works, Contingency, Bonding, etc. and this is a good number.

GF Rhode/Open Aire – this structure looks like a greenhouse and is made of a similar material called polycarbonate, and Mr. Purtill displayed an example of this material, known as Lexian.

Both structures excluded coverage of the kiddie pool and concrete apron on the side of the pool. Users need this space.

Open Aire’s structure is glassed in; the roof is made of the polycarbonate, and much of the roof has an operable panel; and depending on the time of the year and the weather it can be opened and closed. The original cost estimate was $6 million and it is now $6.7 million.
Contractor Comparison – Mr. Purtill reviewed the comparisons, noting that each contractor will be good, can do the job, and give the Town something that will be satisfactory for the use. Each has different characteristics. The committee is satisfied that both would be well built structures and provide the usage the Town is looking for.

The structures are different. KBE is a standard gymnasium type of structure, all masonry; has a standard roof with steel deck, and synthetic rubber surface. Open Aire is very open, a glass structure, with the roof made of the polycarbonate.

KBE’s roof structure has a 30 year guarantee.

Open Aire has a 10 year guarantee which was extended to 15 years by the contractor and manufacturer for Cheshire. It is believed that the roof has an effective life of about 20 years and even more, with some out there 30 years and doing well. The Lexian does not break down, but turns color when exposed to sunlight, and the manufacturer believes it will have the same life as the rubber roof.

Interior structures are quite different. KBE’s structure is entirely steel, and in a corrosive pool environment it must be recoated every few years. Open Aire has specially coated aluminum which does not require recoating. The Milford Y structure is in operation 10 years without any sign of recoating needed.

Heating and Cooling are conventional; there are operable roof and door panels so there should be adequate ventilation for both structures.

Cheshire would do well with either of these contractors, and PBC is satisfied that either can do a good job. KBE is a larger company and has put a lot of this type of construction in place, such as the UConn pool which is a great space. GF Rhode does good work with Open Aire and PBC was impressed with their work even though they are a small company. Neither company has any problems to speak of, and any company has labor problems which are minor for KBE and a carpenter’s union. Extensive background checks have been done on the two contractors.

Schedule – they are similar, with construction time a little longer for Open Aire. The Town will lose the use of the pool for one season with the pool closure in early Fall and reopening in late Spring or Summer of the following year.

Energy and Mechanical – each contractor did its own energy calculations, and the committee energy people did their calculations after looking at them. The PBC is comfortable with its calculations. An energy recalculation was done on the existing bubble. Bubble inflation is a major consumer of energy; the bubble takes about 1/3 of the energy consumed; there will be natural ventilation in both
structures. It will be better in the GF Rhode structure. KBE’s redesign should give good circulation from the doors on the perimeter up to the top of the building. KBE’s industrial type structure will have more artificial lighting due to lack of natural light. Open Aire will give plenty of natural light with major energy savings. Lighting is one of the big energy cost factors for the existing pool.

Dehumidification will be necessary in the KBE structure; there will be a lot of humidity without an easy way to get it out, and dehumidification is an energy cost. Cooling will also be necessary with the KBE structure.

The expected energy savings are about 19% with KBE and 34% with Open Aire.

Cogeneration is possible with both contractors. Cogeneration allows further savings, and was added into the process by the energy members of the committee. GF Rhode has a specialist on cogeneration on its staff. It is also applicable to KBE even though they did not think about it.

Cogeneration involves a small unit (photo displayed); it is a natural gas/electric generating station. The Town purchases the gas from Yankee Gas under a power purchase agreement negotiated between the Town and a third party operator. The Town buys the gas at low market rates; the generator produces electricity for the pool and also produces heat; the heat can be used for heating the pool water and space. Any excess electricity can be sold back on the grid. It is $297,000 to buy and install the unit; there are annual savings of about $50,000; and the payback is 5.9 years. Cogeneration is not an integral part of the project, but could be considered by the Town.

User Needs – photos of a swim meet at the Cheshire Community Pool were displayed to illustrate the goal to meet user needs.

Mr. Purtill said that he recalls when the pool was designed, it was to be an Olympic size competitive pool, in order to serve the swimmers of Cheshire. And, the swimmers are a major and important activity in the school system, and this pool provides many things which we would not ordinarily have. Both proposals have the expansion possibilities on the roof without much expenditure, add another bay, and provide more full usage of the existing space. Both proposals separate from the existing facility so there is no further exposure of the administrative space, eliminate the bubble down time in each season for erection and taking down. Both proposals give natural light, with more natural light from the Open Aire structure.

KBE will be a significantly improved structure over the bubble and should give many years of usage. GF Rhode is a unique structure, giving the feeling of swimming outdoors. At the Milford Y, on an overcast day, the Open Aire structure gave a feeling of a sunny day, and the pool was crowded with swimmers. Milford Y informed the Cheshire group that with the new structure
they tripled their membership. In the calculations from the committee there is an assumed increase in revenue with a new structure.

Cost Assumptions – a 40 year life cycle was assumed; 4% inflation; 4% interest rate on the debt. The existing bubble replacement cost is estimated at $500,000; energy costs of $257,000 for heating and cooling; installation and removal of the bubble at $64,100 per year; administrative building energy costs have been reduced. KBE is at $5.5 million; $215,000 energy costs; recoat steel every 6 years $52,000, shutting the facility down for a period of time; replace roof membrane every 30 years $327,600. GF Rhode is at $6.7 million; $178,367 energy costs; replace roof panels every 20 years $164,000; annual inspection after 15 years $3,500.

Life Cycle Costs after 40 years – cumulative total ownership cost plus operating cost - Bubble at $36.5 million; KBE at $27 million; Open Aire at $22 million. All common costs were eliminated from these calculations for all three structures. Mr. Purtill advised there is an error factor in the life cycle costs. The committee considered reconfiguration of the bubble to determine if it would be more cost effective. No one proposed a new bubble so there is no one who thinks it is an energy saver, and there is only soft information on a bubble #2, and it is anecdotal.

Effect on subsidy – There is currently a $359,000 subsidy for the pool added to the tax bills. KBE subsidy would be $220,444 with increase in revenue from reduction in energy costs, no pool shutdown each year, increase in users due to a nice space and additional memberships. GF Rhode subsidy would be $150,497 with reduction in energy, increase in membership, and no pool shutdown. For KBE the energy savings is about $106,000; GF Rhode energy savings is about $143,000.

KBE SUMMARY – Pros are reduction in town subsidy for the pool; marginal lower heating costs; better acoustics during rain events; lower carbon footprint vs. bubble; lower initial costs. Cons are limited natural light requiring more indoor lighting and higher lighting costs; higher dehumidification costs, and a closed in feeling at the pool facility.

GF RHODE SUMMARY – Pros are reduction in subsidy, open feeling year round, natural light, lower operating costs, lower dehumidification costs, lower carbon footprint vs. bubble, and Open Aire is a specialist. Cons are small company and higher initial costs.

Next Steps – Mr. Purtill stated that these include selection by the Town Council of a proposal; decision on cogeneration; contract development; referendum; letter of intent; and construction of the new structure.
The committee will be getting more specs established in more detail to protect the Town against change orders and insure the Town gets value for its money.

Bill Kunde, member of the PBC Pool Committee, gave the Council and audience more information on the cogeneration. The $50,000 noted in the presentation is additional energy savings. There is a third party willing to fund the cogeneration project, work with the Town to construct the power purchase agreement, to allow for purchase of natural gas at lower rates. Electricity would be sold back to the Town at a lower rate. There is more than sufficient gas supply at the pool site to install the cogeneration system. The third party, Advanced Renewal Technology, is willing to fund the pool project on a private basis, and Town staff is still working on this. It also needs to be further addressed and clarified for what the Town Charter will allow.

With regard to the subsidy, Mr. Wetmore stated there is $359,000 in the operating budget for this subsidy. There would be improvement in the subsidy with either KBE or GF Rhode/Open Air, and not additional taxes. On the financing side of the project, the interest paid would be about $270,000 annually. With the subsidy the average taxpayer would pay $6.90 per year with the KBE proposal, and $5.30 with the GF Rhode proposal. Mr. Wetmore commented on the Town being good about refinancing, getting lower interest rates, and with the proposals the maximum tax increase would be $23 to $25 per year.

Joe Lomain, South Rolling Acres Road, stated he swims 7 days a week, and as a Tea Party member, if this pool went to referendum in November, it would be voted down with 10% unemployment. He said the cost of the new structure is about the cost of a pizza. He asked how the Council and PBC plan to present the proposed new pool structure to the public. Mr. Lomain noted there are people with health concerns and problems who use the pool, so he recommended that the Council look at the GF Rhodes proposal.

The subcommittee did not start out as an advocacy group, but did put money in the budget for promotion of the referendum on the pool by those who advocate it. Mr. Purtill said the voters must be educated and convinced in order to have a successful referendum.

Mr. Wetmore commented on the revenue fee and activity, and the fact that the committee members met with the pool staff reviewing every fee category. It was determined that the numbers presented are conservative.

Chairman Slocum thanked Mr. Purtill for the excellent presentation to the Council and the community.

John Sykes, asked about energy savings and the intent to extract heating energy in the shower water and preheat the cold water.
Mr. Kunde responded, stating that the committee did not address pulling out any heating recovery because they are not down to this level of detail on the design of the system, but it could be considered for the HVAC. Cathy Kirby, Brentwood Drive, asked how the plexi-glass is kept clean and how far it goes around the pool walls.

Mr. Purtill stated there is no problem with cleaning the polycarbonate, and the opening is about 50%.

Mr. Sima advised that the roof panels slide down, opening at 50% of the peak of the roof, and the side panels are glass in the Open Aire proposal.

With regard to the bubble, Mr. Adinolfi asked what the committee did on the bubble, i.e. research information or information from bubble manufacturers. He does not see the taxpayers paying a $7 million expense and does not want a summer only pool.

According to Mr. Purtill the primary manufacturer of the bubble is Yeardon, and PW Department gathered information on the bubble. The committee discussed what we are missing in the information provided on getting a new bubble, disposal costs for the old bubble, and erection of a new bubble.

Mr. Adinolfi stated his agreement with the $500,000 estimate from Yeardon, and he did research on the bubble. They manufacture an R4 bubble, with reduction of energy costs by 50%, and replacement in 15 years with a guarantee. Mr. Adinolfi said the Council should look at the bubble, and he has concerns about the two proposals and a summer only pool.

When the Council put out the request, no one came up with bubble #2 and Mr. Purtill said no one wants to sell Cheshire bubble #2. There was no design/build team for a bubble. Going from an R2 to R4 bubble does not cut energy consumption.

Mr. Slocum stated that part of the charge from this Council and the past Council was to bring forth a solution to the pool, and the Council is not playing to make the pool a summer only facility. The Council wants everyone to embrace the project and see a full vetting of the proposals.

Mr. Schrumm commended the PBC and the Pool Subcommittee for the fine job they performed in their work on the pool enclosure proposals. He asked the $50,000 additional savings with the cogeneration which is not in the numbers, so an additional $50,000 would have to be added to the annual savings.

It was noted by Mr. Purtill that the cogeneration is separate from the proposals and not included in the savings.
Regarding the possibility of another bubble Mr. White commented on the proposals put together by Mr. Gavin in February 2008.

On the life cycle costs, with the latest costs, Mr. Adinolfi said it looks like the breakdown is out about 25 years between the bubble and the two permanent enclosures.

Mr. Purtill said the operation is expected to be less from day one, and we must pay for the investment first. The breakdown is 25 years out.

Ms. Giddings stated that they did not include in the costs for the bubble any costs necessary to redo the existing building due to the mold and humidity is still being pumped into this building.

With a bubble Mr. Purtill said the question is whether these costs will recur and it is probable they would. He said the direct connection between the bubble and the building is not good, and costs to redo the building are not included in the numbers.

Mr. Goldberg said there are numbers in the proposals to reseal the concrete wall, and it is about $38,000. This has not been done yet, but should be done.

Regarding the wall, Mr. Adinolfi said it is his understanding that Town Engineer Michaelangelo offered information about the concrete wall, indicating there is no structural issue with the wall.

There has only been a visual inspection and Mr. Purtill said there could be migration into the wall and no one can say the wall is sound or not sound. There is no way of knowing without doing a core sampling. Both contractors have looked at the wall and they are not comfortable in using the wall as a structural component. The new structure will be built outside the wall. When Open Aire built the Milford structure, it did not put anything into the wall, and the wall was not replaced and is sound for its use.

Mr. Slocum said this wall is a supporting wall, and the fear is that there is moisture and in time there will be problems with the wall.

Once moisture gets into the wall, Mr. Purtill said rust builds and swells and destabilizes the wall.

The estimated cost of the pool shutdown was questioned by Mr. Slocum, particularly with regard to the swim teams renting space and the impact on their programs.

Mr. Wetmore replied that the teams will find alternative space. The revenue loss for the Girls’ Swim Team is estimated at $17,000; Boys’ Swim Team at $18,000;
and the Y teams at $57,000. For the KBE proposal there will be $5,000+ to the budget and with Open Aire there will be $84,000+ to the budget. There will be loss of revenue for passes, particularly in the summer time, along with revenue loss for swimming lessons. Closing the pool down has a budget benefit, and for KBE it is about $5,000, and for Open Aire it is $84,000. The reason for the difference is not taking down the bubble in September for Open Aire, but it would come down for KBE. Open Aire would not start the project until December. The calculations were for closing the pool from September through June for Open Aire. It is expected there would be a drop in the summer time frame for passes and pool usage, and most swimming lesson revenue comes during the summer months so this will be there for both years. Some lesson revenue would be lost during the winter months.

On the life cycle analysis, Mr. Slocum asked about the life cycle costs of the current pool including borrowing costs.

According to Mr. Purtill the borrowing costs will be the same regardless of the design.

Mr. Slocum asked about investing in the existing pool and how to safeguard the pool during the construction period.

Mr. Purtill said it is his understanding that the pool is covered with plywood and this is the responsibility of the contractor.

Mr. Goldberg explained that the Open Aire structure is light aluminum, and KBE’s structure is 6 or 7 large steel arches, and is a larger structure than Open Aire.

Mr. Schrumm asked about profit sharing.

In reply, Mr. Goldberg said there will be a built in contingency of $500,000, and anything left over will be split. The companies are willing to do this in the preliminary discussions. The contract is very critical; we want an open book contract; and the committee is working with the Town staff and the contractor.

An observation was made by Mr. Sima about the energy costs skyrocketing two years ago, and these costs being the cause of the recession. The numbers will go up again, and the present structure is not an efficient one. This is why the RFP is for an energy efficient structure, and this has been addressed by the PBC. He said the bubble is a mini-disaster since its installation and he cited some of the problems, some of which will be addressed by the PBC’s recommendations. When you bond something out 20 years, Mr. Sima said you hope it lasts 40 to 50 years. The pool bubble is not a good process due to high humidity, and the RFP stated a requirement for decrease in energy consumption. The energy use is costing the Town a lot of money, and he cannot see going on with the bubble. Mr. Sima commented on the wall stating it has moisture
concentrating in the wall, pressure environment on one side, it is 95 degrees on the top of the bubble, and something needs to be done to protect the wall and the Town. The wall will not last 40 years. He agreed with the PBC that something must be done to protect the wall.

Mr. Sima stated that the process used for the pool proposals emphasizes how important it is for due diligence on a project. Mr. Sima commended the PBC and the committee members for their work on the charge for the pool proposals.

Chairman Slocum reiterated the Town Council’s plan going forward, and thanked Mr. Purtill for the presentation, and thanked all members of the committee who contributed to the process. The Council will meet to deliberate on the process, and at the May 11th meeting will call for a public hearing on the selected proposal. Mr. Slocum informed everyone that there must be good and tight numbers for the two proposals. There will be a Town Council joint meeting with the Planning Committee on May 4th for further discussion and review of the proposals.

Ms. Giddings said she has heard comments and see written comments which seem to indicate that this Council is advocating one or another of the solutions to the pool situation. She said the Council must make it clear to the public why his route was taken and commended the PBC and Pool Committee members for doing a good job comparing the two proposals so the public can make an informed decision when they have the opportunity to go to referendum. Her personal feelings will be expressed when she votes on the referendum, without telling anyone how she will vote. Ms. Giddings wants the Town to give an indication of what voters want done in terms of a permanent structure, or not, for the community pool. She is impressed with the work of the PBC Committee which has set standards for consideration for public buildings which has never been set before in Cheshire.

**PUBLIC QUESTIONS AND COMMENTS**

Doug Levens, 72 Chipman Drive, asked if the Council has more information to digest now that we are getting down to the time for decision making. He also asked about plans to get the information out to the public, noting that one meeting on May 11th will not do.

In response, Chairman Slocum explained that May 11th is the regular Council meeting, and there will be call for a public hearing. By that date or on May 11th the Council will vote on the proposal going forward to referendum. From that point, there is the sales pitch to be started by everyone involved. The Council meetings are open to the public. The public hearing will be televised. As far as marketing goes, it is up to the public to do this.

Mr. Levens stated that his issue is the time frame being short, and if the Council believes this is the right thing to do then a statement should be made. His group
will be marketing information on the referendum and the proposal being the right thing to do.
With the Council vote, Chairman Slocum said the decision will be made. On a personal level, he is in favor of a permanent solution to the pool. If the referendum fails, the pool continues to operate as it has, inefficiently. The Council would have no reason to close the pool. The bubble will have to be replaced, and he has heard a proposal for $2 million for the bubble, not $500,000.

For the public’s information, Town Manager Milone stated that the Town administration is required to develop an explanatory text on all referendum purchases. There is a paragraph or two developed with oversight of the bond counsel, and it is sent to homeowners. The text must be carefully worded, cannot have an advocacy base, and can only have an informational base.

Joe Lemain expressed his concern on the paragraph to the public on the referendum, and he wants the information to include how much costs will be to every taxpayer.

This information will be available, and Mr. Milone said it would be given to the advocacy groups, but it cannot be included in the referendum text.

Mr. Lemain wants to see all the proposals, and wants the best costs. He supports a permanent structure. He said that energy costs will continue to skyrocket no matter what is done, and energy costs are the big problem.

Those present at the meeting were informed by Mr. Schrumm that Town employees cannot participate in the advocacy part of this issue. Town equipment cannot be used, and the advocacy groups can get information through e-mail. The Council will state all the information with its referendum text.

Mr. Levens asked if the advocacy groups can have information at the community pool.

In that regard, Mr. Milone explained that there is a “no solicitation” policy at all Town buildings. Flyers cannot be put on the pool counter. The explanatory text will be available at the pool lobby, other Town buildings and Town Hall. Both proposals can be put at the pool building, but there can be nothing which states a position on this matter.

6. CALL FOR PUBLIC HEARING ON APPROPRIATION FOR THE COMMUNITY POOL.
This item was removed from the agenda.

7. PERSONNEL ISSUES, POSSIBLE EXECUTIVE SESSION
Attorney Floyd Dugas was present for personnel issues to be discussed with the Town Council. He stated that in the general release and settlement agreement which the Town and employee have entered into, there is a non-disparagement provision. Attorney Dugas said there was an internal affairs investigation going on in the Police Department. During the course of this investigation he had a number of conversations with the union attorney who indicated the officer's intention to retire anyway, so why do we need to go through this entire process. That conversation led to more detail and, eventually, an agreement reached that the officer would retire, there would be no need to pursue the internal affairs investigation at that point in time, and, essentially, the officer is retiring. He is not getting anything more or less than any other retiring police officer with the years of service he has had. The agreement, as is the case with any settlement agreement he executes, there is inclusion of legalize boiler-plate, including cost releases, acknowledgment that no one did anything wrong, standard language giving the officer 21 days to consider the agreement, 7 days to revoke it. This is all standard boiler-plate language. In development of the agreement, we got to the point where the officer said he was ready to retire and this was his intention. It was simply a question of documenting that understanding from that point.

Attorney Dugas did contact the officer's counsel on the possibility of executive session discussion, and he said that would be fine.

MOTION by Mr. Schrumm; seconded by Ms. Giddings.

MOVED that the Town Council enter Executive Session at 10:35 p.m. to include Town Manager Milone, Attorney Dugas, Personnel Director Zullo, Chief Cruess, Deputy Chief Popovich, and Captain Vignola to discuss personnel issues, particularly Police Officer Kerry Deegan.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Schrumm; seconded by Ms. Giddings.

MOVED to exit Executive Session at 10:55 p.m.

VOTE The motion passed unanimously by those present.

8.  ADJOURNMENT

MOTION by Mr. Schrumm; seconded by Ms. Giddings.

MOVED to adjourn the special meeting at 10:55 p.m.
VOTE The motion passed unanimously by those present.

Attest:

____________________________________
Marilyn W. Milton, Clerk