

Somerset Town Council  
Special Meeting May 16, 2011

The Somerset Town Council convened in a special meeting on May 16, 2011.

Mayor and Town Council Present:

Mayor Jeffery Slavin  
Council Vice President Marnie Shaul  
Council Member Alan Proctor  
Council Member Cathy Packar  
Council Member Barbara Zeughauser  
Council Member Bill Farley

Town Staff

Norman Knopf, Town Attorney  
Larry Plummer, Building Code Inspector  
Jerry Schiro, Acting Clerk/Treasurer

Consulting Staff and Contractors:

Lou Balodemas , Town Project Consultant  
Gerald Therrien, Principal, Therrien Waddell, General Contractor  
Geert Visscher, Project Manager, Therrien Waddell

Residents Signed In

Robin Wilder, 5535 Warwick Place  
Simon Narins, 4909 Essex Avenue  
Mitch Narins, 4909 Essex Avenue

Press – Joshua Shnider, Patch.com

Mayor Slavin called the meeting to order at 6:45pm.

The Council heard a report on the status of the pool renovation project. Lou reported the target opening date is now June 17 2011. However, there was critical list of items submitted that must be completed prior to the pool opening. The Town Attorney was asked about the possibility of the Town getting a certificate of occupancy with some items incomplete. For instance the parking lot work on west side of the creek will not be complete. The Town Attorney asked the Council if sufficient parking is not available on the pool, will the Town allow temporary parking on the adjacent streets. The Council agreed to do so. The Town Attorney reported that if critical issues dealing with health and safety are addressed it could be possible to get a temporary occupancy permit. However, at this time the contractor is in a better position to work those issues out with the contractor than the Attorney.

Geert stated that anything site related will be contingent on weather. There were general questions from the Council concerning the schedule and potential opportunities to expedite the schedule. Council asked about the specific terms of the contract regarding the substantial completion date. The method for computing the rain days was discussed. The Council discussed the option of issuing a letter to the Contractor regarding the completion date and what the letter should contain.

Council Vice President Marni Shaul moved the Town, in order to protect its interest, send a letter to Therrien Waddell stating its understanding as where we are today in terms of the new projected completion date. The letter should also require the contractor to provide timely notification of anything that would change that date and identify the current days that have been used for change orders and weather. Council Member Barbara Zeughauser seconded the motion. Voting in favor, Marnie Shaul, Barbara Zeughauser, Cathy Pickar; Opposed, Alan Proctor and Bill Farley. Motion passed. The letter will be circulated for Council review. The Council will also evaluate the need to get the Town Attorney involved in the County permit approval process.

Lou requested approval for the contractor to rent a track bobcat to move the pavers across the open pool deck area in order to expedite the work. The machine will not be rented unless weather permits its use. The contractor will not mark up the rental cost for overhead. Discussion ensued. Motion by Council Member Alan Proctor to approve the rental, Second Bill Farley, motion passed all voting in favor.

Discussed installing color concrete on the ramp and basement steps - \$5,000 change order. Lou recommended against it. Council accepted the recommendation.

It was the consensus of the Council to install FiOS for wireless internet access. The Town Staff will follow through with procuring the service.

Council discussed the route for the permanent path from Warwick to the pool house. The Council focused on striping the driveway to accommodate a designated pedestrian route to the facility. It was deemed this would be the most time-efficient method. Resident Robin Wilder, 5535 Warwick Place, was present. She asked that a permanent solution not be discussed until she returns to her home full time in the fall. Council agreed not to discuss a permanent solution until Ms. Wilder has returned. Council deferred additional discussion on the striped pedestrian access route until more information is gathered regarding the requirements.

#### 4909 Essex Avenue - Narins

Council continued a hearing from May 02 2011 to grant a second extension to a building permit at 4909 Essex Avenue. The applicants were present as were project representatives, Thomas Manion, AIA, project Architect and Andrew Ecoromakys and Brian Lucey, Camden Construction, the project General Contractor.

Larry Plummer, Building Code Inspector had met with the applicant, the arborist and the contractor on site. The inspector had submitted a written report of his findings for the record. He summarized that the project has progressed since the last meeting. It appears that the contractors have been working diligently. The applicants agreed with Mr. Plummer's assessment of the project status. They also agreed with the recommendations of the arborist and agreed to carry out the recommendations. The applicants also feel the surprises are over and that the schedule is now on track.

The Town Attorney inquired about a disagreement regarding a landscape plan. Larry reported that numerous trees came down and apparently no landscape plan had been required at the time of the submission. The applicant reported there was no requirement for reforestation and staff was unable to locate a landscape plan in the file.

The Town Attorney questioned the contractor regarding the schedule submitted at the May 02 meeting. Mr. Knopf asked if there is anything associated with the project that will change that schedule. The contractor replied there is not. The completion date remains the same.

Council Member Bill Farley moved to extend the permit until the July 5 meeting, seconded Cathy Packar. Allen Proctor moved to amend the motion to the original request for a three-month extension (until September). No second, the amended motion failed. A vote was called on the original motion. The motion passed unanimously.

The Council acted on an invoice from the Consulting Pool Project Manager, Lou Balodemas, covering work completed in March and April 2011. The invoice is in the amount of \$24,695.00. Council VP Marnie Shaul moved to approve the invoice as submitted, seconded by Council Member Barbara Zeughauser. The motion passed unanimously.

Council VP Marnie Shaul reported on an upcoming public hearing on the County's proposed CR Zone. It was the consensus of the Council that it should go on record opposing the rezoning.

The meeting was adjourned at 8:30 pm.

Submitted by Jerry M. Schiro, Acting Clerk, Treasurer