

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: COUNTY FACILITIES**

**DATE: April 16, 2010**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS THOMAS  
VANNESS  
CHAMPAGNE  
GIRARD  
BELDEN  
PITKIN  
MCCOY

**OTHERS PRESENT:**

WILLIAM LAMY, SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS  
FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS  
PAUL DUSEK, COUNTY ATTORNEY/COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES  
FREDERICK MONROE, CHAIRMAN  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS KENNY  
TAYLOR  
LOEB  
SOKOL  
MERLINO  
JOHN HORGAN, BOVIS LEND LEASE, INC.  
DAVID ROSEBOOM, BOVIS LEND LEASE, INC.  
DON LEHMAN, *THE POST STAR*  
JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

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Mr. Thomas called the meeting of the County Facilities Committee to order at 9:00 a.m.

Motion was made by Mr. VanNess, seconded by Mr. Belden and carried unanimously to approve the minutes of the March 30, 2010 Committee meeting, subject to correction by the Clerk of the Board.

Mr. Thomas stated that the purpose of today's meeting was to address a proposed resolution which authorized the Chairman of the Board of Supervisors to execute the Certificates of Substantial Completion for various contractors relative to the construction of the Human Services Building (HSB) as follows:

- ▶ J.C. Structures, Inc. - Masonry and Concrete
- ▶ ARCON Construction & Management Services, Inc. - Electrical/Data
- ▶ Mazone Plumbing & Heating - HVAC
- ▶ Mazone Plumbing & Heating - Plumbing
- ▶ Edwards J. Matthews, Inc. - Fire Protection
- ▶ T.P. Monahan, Inc. - Roofing
- ▶ N.E.P. Glass Co., Ltd. - Aluminum Entrances, Storefronts, Windows & Glazing
- ▶ Bast Hatfield, Inc. - General Construction
- ▶ Schenectady Steel Co., Inc. - Structural Steel
- ▶ J.C. Structures, Inc. - Exterior Insulation & Finish System

Privilege of the floor was extended to Paul Dusek, County Attorney/Commissioner of Administrative & Fiscal Services, who stated that the Certificates of Substantial Completion had

been approved by the project engineers and construction managers. He further noted that the Substantial Completion Report listed items which required further attention, the most significant of which was the building facade. He noted that the problem was not structural; however, he said, it significantly affected the brick facade and general appearance of the HSB. Mr. Dusek stated that he reviewed the issue with John Horgan of Bovis Lend Lease, Inc., which included the review of a letter received by Mr. Stec which contained suggestions for remediation of the building facade issue. Mr. Dusek reported that the recommendations offered in the letter had already been initiated by Mr. Horgan.

Mr. Horgan stated that Clark Patterson Engineering had submitted a punch list of items for closure, and J.C. Structures, Inc., the masonry and concrete contractor, had agreed to the items listed therein. He further noted that the warranty was expanded to 5 years from the date of issuance of the Certificate of Substantial Completion and J.C. Structures, Inc., had indicated a return visit in July to address the brick facade; with a subsequent visit scheduled for the spring of 2011. Mr. Horgan explained that the condition of the surface of the building was referred to as efflorescence which resulted from the combination of the presence of water and the movement or flow of the water in conjunction with the salts which were leaching through the brick facade. He stated that J.C. Structures, Inc., hired a civil engineer to study the facade issue which was determined to be superficial and not structural in nature. The official report from the civil engineer, he noted, had not yet been received. Mr. Horgan stated there was no evidence of efflorescence on the rear of the building; therefore, he said, it was evident that the condition was located in the areas of the building where architectural banding was present. Mr. Horgan stated that he had anticipated that correction of the issue would require the sealing of the architectural precast material, or a surface wash. Continuing, he reported that J.C. Structures, Inc., was not satisfied with the condition of the exterior, and the retainage fee of 5% or \$63,500 had not been paid.

Mr. Horgan informed that substantial completion was defined as completion of the work as outlined in the contract, which had been reached at this time. He reiterated that a warranty was in effect for all contractors for the period of one year following the date of issuance of the Certificate of Substantial Completion and included any necessary repairs, adjustments, and training.

Mr. Pitkin asked when the retainage fee would be paid, and Mr. Horgan stated that it was typically released immediately following issuance of the Certificate of Substantial Completion. Mr. Horgan noted that withholding the 5% retainage fee payment would require approval from the County Attorney.

Mr. Dusek noted that the cost exposure must be determined for any items that required additional work, in order to hold the necessary payments until completion. The critical issue, he stated, was to ensure that Warren County was protected in terms of construction issues and he noted that the County would not forego their rights by approving the Certificate of Substantial Completion. In his opinion, he said, there was no legal argument by which to hold back the certificates at this time.

David Roseboom, Bovis Lend Lease, LLC., stated that the problem was relatively common and the same situation had occurred at the AMTRAK Train Station in Rensselaer, New York whereby the processes of washing and sealing had effectively resolved the problem.

A brief discussion ensued regarding various other repairs needed for the HSB, such as leaks in the windows, and Mr. Roseboom stated that problems with three windows was considered minimal when considering the scope of the project and the total number of windows and joints in the building. In terms of construction, he stated, the project progressed exceedingly well.

Motion was made by Mr. VanNess, seconded by Mr. Pitkin and carried unanimously to approve the request to authorize the Chairman of the Board of Supervisors to execute the Certificates of Substantial Completion for various contractors regarding the Human Services Building, and the necessary resolution was authorized for the April 16, 2010 Board meeting. *A copy of the resolution request form is on file with the minutes. (Please note: The resolution was approved at the April 16, 2010 Board meeting.)*

As a cost savings measure, Mr. Dusek informed that the trailer located at the Human Services Building would be moved to the vicinity of Annex Building #10. He announced that Fred Austin, Building Project Coordinator for the HSB, would complete his service to Warren County on April 23, 2010. In terms of construction projects, Mr. Dusek asserted, the Human Services Building project was completed in an exemplary manner and he noted that issues were resolved expediently throughout the project. He commended all those involved with the HSB project which was above expectations when compared to building projects completed by other counties. Mr. Thomas commended the work of Mr. Austin, Clark Patterson Engineers, and Bovis Lend Lease, Inc.

Mr. Thomas presented a request on behalf of the Buildings & Grounds Division, for a contract with Marek's Carpet & Flooring, in the amount of \$6,857, for new carpeting in the Supreme Court.

Motion was made by Mr. Champagne, seconded by Mr. McCoy and carried unanimously to approve the request for carpet as outlined above, and the necessary resolution was authorized for the April 16, 2010 Board meeting. *A copy of the resolution request form is on file with the minutes. (Please note: The resolution was approved at the April 16, 2010 Board meeting.)*

Regarding the disposal of surplus furniture in Annex Building #10, Mr. Pitkin commended Frank Morehouse, Superintendent of Buildings & Grounds, and Julie Pacyna, Purchasing Agent, along with their staff for the hard work demonstrated to carry out a successful sale.

Mr. Kenny inquired about the necessity of the use of additional space for use by the Board of Elections (BOE) as approved in the previous Committee meeting and Mr. Thomas explained that the new electronic voting system required a larger server which used a considerable amount of space, thereby creating the need for additional office space. Mr. VanNess added that a meeting was held with the Judges who agreed to allow 120 square feet of space for the BOE.

As there was no further business to come before the County Facilities Committee, on motion made by Mr. Pitkin and seconded by Mr. VanNess, Mr. Thomas adjourned the meeting at 9:25 a.m.

Respectfully submitted,  
Joanne Collins, Legislative Office Specialist