

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

SPECIAL MEETING MINUTES

**MONDAY, OCTOBER 18, 2010
4:00 PM**

Village Trustees Present:

Robert Gilmore, Chairman, David Rose, James Fuller

Staff Present:

Frank Heald, Municipal Manager, Ronald Tarbell

Others Present:

Mark Youngstrom, Otter Creek Engineering

Call to Order:

Robert Gilmore called the Special Meeting to order at 4:04 pm.

Update on Sewer Construction Project:

- a. Mark Youngstrom reported that the sewer project is behind schedule and it is evident Markowski will not make the scheduled completion date of October 25th. He said Markowski handed them a schedule with a completion date of November 15 at the last job meeting, without discussing the new date with anyone.
- b. Mark Youngstrom expressed concern with winter coming if they could finish by November 15th. Mark said that Otter Creek's administrative and resident services have already crossed over for the past month and one-half.
- c. Mark Youngstrom said that under the water contract we could choose to enforce the penalty and recover contracted damages of \$800 per day.
- d. Mark Youngstrom said they have already cut back staff utilizing just Scott Matthews and Nicole Mason. He said they would be able to handle it.
- e. David Rose asked if they could go with just one engineer.
- f. Mark Youngstrom said not yet, but they will pull Nicole as soon as they can.
- g. Mark Youngstrom reported that the project budget is in good shape from a cost point of view and because it is based on unit prices, we will only pay for what is done, when it is done.
- h. Robert Gilmore said the real issue is the completion date and asked if Mark Youngstrom is recommending the extension to November 15th.
- i. David Rose said he did not want to see the job go until November 15th and questioned if \$800 per day would be enough to cover damages.

- j. Mark Youngstrom said if Markowski isn't finished by November 15th, the Village can ask for retro liquid damages back to October 25th. He said the only area he believes they would not finish is the imprinted crosswalks.
- k. Robert Gilmore said he supports the idea for an extension to November 15th and to retro damages back to October 25th if they do not finish.
- l. David Rose agreed and asked if there was a "plan c" if they are not finished by November 15th.
- m. Mark Youngstrom said the penalty is \$800 per day and the draft letter to Markowski has the explanation.
- n. David Rose made a motion to instruct the Municipal Manager to execute a version of the letter regarding the water project contract period and liquid damages on the Water Commission's behalf. Motion was seconded by Robert Gilmore. All in favor and the motion passed.
- o. David Rose asked if the sensors for the stoplight can be fixed even though that area is not finished so it will be in working order again.
- p. Mark Youngstrom said yes he will let Markowski know.

Adjourn:

- a. Motion by David Rose to adjourn and seconded by Robert Gilmore. All in favor and the motion passed.
- b. Meeting adjourned at 4:36 pm.

Respectfully submitted,

Pam Cruickshank
Acting Clerk

**LUDLOW VILLAGE
BOARD OF TRUSTEES**

Robert Gilmore, Chairman

David Rose

James Fuller