

Deputy Supervisor/Councilman William Johnson opened a special meeting of the Town Board of the Town of Pawling at 6:30 PM May 23, 2018 at the Lathrop Auditorium, 2 Lakeside Drive, Pawling, New York. Present were Councilmen, DeRosa, Kelly and approximately 11 interested citizens. Supervisor Schmitt and Councilman McCarthy were absent.

Councilman Johnson said he would like to address the resolutions as a "Consent Agenda".

**Resolution 2018066                                  Change Order Whaley Lake Dam – Drill & Grout Bars**

Whereas, the Town of Pawling is currently undertaking a Dam Rehabilitation and Construction Project at the Whaley Lake Dam located within the Town of Pawling and within the Whaley Lake Dam District, and

Whereas, it is common during such large construction projects that Change Orders be submitted by the contractor for work that falls outside of the original specifications of work as agreed upon by the following parties: the Town of Pawling, the Engineer of Record, and the approved plans by NYSDEC, and

Whereas, if such Change Orders exist, the Town Board will need to have the submitted Change Orders reviewed for clarity and need by the "Owner Representative", the "Engineer of Record", and final approval by the Town Board on behalf of the residents of the Whaley Lake Dam District, now therefore, be it

Resolved, that the submitted Change Order by Winn Construction known as "Drill & Grout Bars" is hereby approved in the amount of \$4,478.90.

**Resolution 2018067                                  Change Order Whaley Lake Dam – Flowable Fill  
Cutoff Wall – Excavation & Pour Flow Fill**

Whereas, the Town of Pawling is currently undertaking a Dam Rehabilitation and Construction Project at the Whaley Lake Dam located within the Town of Pawling and within the Whaley Lake Dam District, and

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Whereas, if such Change Orders exist, the Town Board will need to have the submitted Change Orders reviewed for clarity and need by the "Owner Representative", the "Engineer of Record", and final approval by the Town Board on behalf of the residents of the Whaley Lake Dam District, now therefore, be it

Resolved, that the submitted Change Order by Winn Construction known as "Flowable Fill Cutoff Wall – Excavation & Pour Flow Fill" is hereby approved in the amount of \$7,047.55.

**Resolution 2018068                                  Change Order Whaley Lake Dam –  
RFI-1 Cofferdam Extension**

Whereas, the Town of Pawling is currently undertaking a Dam Rehabilitation and Construction Project at the Whaley Lake Dam located within the Town of Pawling and within the Whaley Lake Dam District, and

Whereas, it is common during such large construction projects that Change Orders be submitted by the contractor for work that falls outside of the original specifications of work as agreed upon

by the following parties: the Town of Pawling, the Engineer of Record, and the approved plans by NYSDEC, and

Whereas, if such Change Orders exist, the Town Board will need to have the submitted Change Orders reviewed for clarity and need by the “Owner Representative”, the “Engineer of Record”, and final approval by the Town Board on behalf of the residents of the Whaley Lake Dam District, now therefore, be it

Resolved, that the submitted Change Order by Winn Construction known as “RFI-1 Cofferdam Extension, Extension of Cofferdam around Buttress” is hereby approved in the amount of \$6,767.00.

**Resolution 2018069                      Change Order Whaley Lake Dam – Mud Mat Surface Prep**

Whereas, the Town of Pawling is currently undertaking a Dam Rehabilitation and Construction Project at the Whaley Lake Dam located within the Town of Pawling and within the Whaley Lake Dam District, and

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Whereas, if such Change Orders exist, the Town Board will need to have the submitted Change Orders reviewed for clarity and need by the “Owner Representative”, the “Engineer of Record”, and final approval by the Town Board on behalf of the residents of the Whaley Lake Dam District, now therefore, be it

Resolved, that the submitted Change Order by Winn Construction known as “Mud Mat Surface Prep” is hereby approved in the amount of \$2,447.07.

**Resolution 2018070                      Change Order Whaley Lake Dam – Mud Mat Form & Pour**

Whereas, the Town of Pawling is currently undertaking a Dam Rehabilitation and Construction Project at the Whaley Lake Dam located within the Town of Pawling and within the Whaley Lake Dam District, and

Whereas, it is common during such large construction projects that Change Orders be submitted by the contractor for work that falls outside of the original specifications of work as agreed upon by the following parties: the Town of Pawling, the Engineer of Record, and the approved plans by NYSDEC, and

Whereas, if such Change Orders exist, the Town Board will need to have the submitted Change Orders reviewed for clarity and need by the “Owner Representative”, the “Engineer of Record”, and final approval by the Town Board on behalf of the residents of the Whaley Lake Dam District, now therefore, be it

Resolved, that the submitted Change Order by Winn Construction known as “Form & Pour Mud Mat” is hereby approved in the amount of \$90,998.31 with an estimate of 395 Cubic Yards of Concrete needed for the “Mud Mat”.

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Whereas, it is common during such large construction projects that Change Orders be submitted by the contractor for work that falls outside of the original specifications of work as agreed upon by the following parties: the Town of Pawling, the Engineer of Record, and the approved plans by NYSDEC, and

Whereas, if such Change Orders exist, the Town Board will need to have the submitted Change Orders reviewed for clarity and need by the “Owner Representative”, the “Engineer of Record”, and final approval by the Town Board on behalf of the residents of the Whaley Lake Dam District, now therefore, be it

Resolved, that the submitted Change Order by Fuss & O’ Neill known as “Engineering Services” known as “Amendment to Address Changes” for 211 hours of additional services to comply with the necessary site changes based on the previous approved Changes Orders of this date by Winn Construction is hereby approved in the amount of \$41,300.00.

**MOTION:** Councilman Johnson

**SECOND:** Councilman DeRosa

Councilman Kelly said as work continued and investigation was done, it was decided that there needed to be a mud mat installed, some work on the coffer dam, drill & grout bars and additional engineering costs.

Councilman Johnson said there are always unknowns until the excavation begins with a project like this. The Board has budgeted and even with these change orders, they are still within the budget for this project.

Councilman Kelly said the mud mat pour is an estimate and the cost will depend on how the forms are built and how the pour goes.

Councilman DeRosa said the Board budgeted for a 10% contingency fund from the beginning of this project because there were a few unknowns during the investigation of this project. The pressure of the water pushing up is why the mud mat is needed, to push the water away from the dam. The Board is still within the budget.

Councilman Kelly said Vinny DiMarco, Owner’s Representative for this project, is helping verify the change orders and keeps the Board informed every day. Councilman Kelly said he appreciated Mr. DiMarco’s work.

Vinny DiMarco said he appreciated what the Board does and the effort they all put in. His job is to make sure the work continues according to the design plans and keep the change orders to a minimum.

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “ABSENT”

Councilman Kelly – “AYE”

Supervisor Schmitt – “ABSENT”

The motion to adjourn was made at 6:37 PM by Councilman Johnson, seconded by Councilman Kelly, motion passed unanimously.

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Town Clerk