SPECIAL COMMITTEE ON BASEBALL/ RIVERFRONT DEVELOPMENT

November 18, 2003 **5:45 PM**

Deputy Clerk Johnson stated Alderman O'Neil, as Chairman of the Board has named himself as temporary Chair of the Special Committee on Baseball/Riverfront Development.

Chairman O'Neil called the meeting to order.

The Clerk called the roll.

Present: Aldermen O'Neil, Guinta, Sysyn, Garrity, Smith

Chairman O'Neil addressed Item 3 of the agenda:

Update from staff on baseball project.

Mr. Frank Thomas stated hopefully the Committee has a copy of a handout that I put together. I apologize that it wasn't in the agenda but this meeting was called at the end of last week and we couldn't compile it all. The information that is in the packet that is in front of you is the latest budget, GMP, for Gill Stadium, a breakdown of costs for the elevator, a breakdown of the cost for the renovations to the existing locker room areas, a little write-up on what we see is the Highway Department's role and a brief summary of the difference between the civic center project and this project and then a colored picture status report that you can review at your leisure. What I would like you to focus on is the top sheet from Harvey Construction to us. The third page of that sheet does now define a GMP budget. Three quarters of the way down the sheet you will see a total of $4,150,000. That is the amount of money that has been budgeted for that project to address Exhibit B items. If you remember at our last meeting the Committee approved a revised Exhibit B, which is basically tailored after the original Exhibit B. That is now a guaranteed maximum price to accomplish Exhibit B items scope of work. That $4,150,000 is made up of $3,150,000 of City money to rehab Gill Stadium and a $1 million contribution by the team to address Rule 58 requirements. Below that $4,150,000 number are some alternatives and one is noted as Stair Tower/Elevator/Catwalk and some miscellaneous bulletins, which are just revisions to the plan. What that addresses it the elevator, the stair tower that goes along with the elevator and the catwalk out to the press box. That is not included in the $4,150,000. It was not identified as a project in the original budget that was

put together and I am here tonight to seek City funds to fund that work. That is required…that is an ADA requirement and the way that we look at it is that the City is investing $3,150,000 to rehab Gill Stadium. If we were doing that rehab without any baseball team coming in or whatnot it would be a requirement on the part of the City to provide handicapped accessibility to this press box and for that reason I feel that it is a City cost that quite frankly was not anticipated early on when the original budget to rehab Gill Stadium was identified. As noted, that cost is $449,276 and a few miscellaneous items that you can see under it. The total cost with those miscellaneous items comes to $449,386 and then the way the contract is written up there are general conditions. There is overhead cost, etc. that the contractor would experience bringing the total for the elevator project up to approximately $491,000 give or take. So that is a request that I would like the Committee to consider to first of all determine or agree with my position that it is a City cost and to seek funds to pay for those improvements. I would be happy to answer any questions on that subject.

Alderman Guinta stated in the Harvey Construction handout there is the Rule 58 cost list. Have we seen a copy of Rule 58 requirements?

Mr. Thomas replied we have seen a check off list. We do have correspondence from the league that basically states that the project is in conformance with Rule 58 requirements. This budget of Rule 58 requirements was generated between representatives of the team, the architects, Harvey Construction and the City with the President of the Eastern League in attendance.

Alderman Guinta asked is there any overlap in terms of ADA requirements and Rule 58 requirement. Does the league impose or require that ADA requirements need to be met?

Mr. Thomas answered there are requirements that the facility be ADA accessible.

Alderman Guinta asked and is that a league requirement or the league recognizes at least in writing somewhere…

Mr. Thomas interjected it is spelled out in the Rule 58 write up, however, what you have to keep in mind is that where this facility is only going to be utilized for one year you can pretty much get a waiver on anything that is spelled out in the Rule 58 requirements. Even though we did not get an official ruling, most likely it would have been a waived requirement for a year at least from the point of view of meeting league Rule 58.

Alderman Guinta stated well let me ask you a different question then Frank. When we first looked at renovating Gill we came up with a rough total price of the cost to renovate it.

Mr. Thomas responded we did not. The team owner working with the architect and Harvey Construction came up with a price.

Alderman Guinta asked so the team owner, Harvey Construction and who.

Mr. Thomas answered the architect, HNTB.

Alderman Guinta asked and they came up with a budget that was presented to the City.

Mr. Thomas answered that is correct. It was based on Exhibit B that was part of the lease agreement.

Alderman Guinta stated I guess I am wondering why ADA requirements would not be included in that mark up.

Mr. Thomas responded the facility itself regarding seats for handicapped, etc. were included in the original budget. However, a final determination regarding the need for the elevator was not made until quite awhile after all of these agreements were signed. Actually it was a determination I think that the Building Department noted as a requirement because of the scope of improvements being made to the facility. I go back to what I originally said. Forget about the team. The City if they went in to rehab Gill Stadium at the level of $3,150,000 based on a determination made by the Building Department this would have been a requirement that would have needed to be addressed.

Alderman Gatsas asked Frank can you tell me…I am looking under fee of $121,000. Can you tell me that that is for?

Mr. Thomas answered the contract with Harvey Construction provides for a construction management piece and that is what that is for.

Alderman Gatsas asked who is that paid to.

Mr. Thomas answered Harvey Construction. They are acting as a representative of the team owner regarding putting out bids for the different work that has to be done above what they are doing.

Alderman Gatsas stated I noticed that where it says new heating system for Central's locker room it says to be determined.

Mr. Thomas responded that is correct. That is an issue that just recently came up at the end of last week. Central High was playing there and they didn't have any heat and there was a hole in the wall from work that was being done. When we found out about this problem we contacted Harvey immediately. They did determine there was hot water. That was one of the issues but there was hot water and they patched up the hole temporarily until the repairs are completed in the wall and they spent quite a bit of time getting the heating system that provides heat to Central's locker room up and running. Their response to me was that the existing heating system for those locker room areas was past its useful life. I have asked them to prepare a budget to address the heat issue. It is not a large item but I am not in a position here to address this issue this evening but it is something we are looking into. Again, as you go into a facility like this quite frankly this facility needed this investment. The raker beams that supported the grandstand were very deteriorated. The steel columns that supported these wood raker beams were rotted. Those are being addressed as part of the GMP number. You do find problems that arise. Now in talking to Ron Ludwig regarding the heating system, they periodically do have to have somebody service it and those costs are passed on.

Alderman Gatsas stated I know that there will be conversation that people after I made the comment about the Central locker room people went down and talked to Coach Schubert and that the $98,000 that is here certainly is not Class A locker room space as we were told that that is what Gill Stadium would have – that we were looking for four Class A locker rooms. Obviously what it does is put a Band-Aid from a modification from what is there to what Coach Schubert says I guess is acceptable. That is something that he is willing to say because I don't think he thinks it is in the play that the locker rooms…I think it is absolutely imperative, it is imperative that the people of Manchester see what those locker rooms look like. They are deplorable. They are God awful and if something is not done the kids shouldn't be playing there. It is wrong. It is not right. We are spending $4 million on a City structure and I don't question that it should be done the right way but when we are spending $169,000 to redo dug outs because of Rule 58 and we aren't going to do anything to the visitor side locker rooms, the locker rooms that are on Maple Street other than put some paper, paint and a few fixture, that is wrong. When we are only doing $29,000 in concessions…Gill Stadium is going to be there long after we leave here and it should be done right. I think that it is imperative that the people of Manchester see what those locker rooms look like.

Mr. Thomas responded regarding the locker rooms, the locker rooms did have a major amount of work as you know done to them approximately two years ago or so. The lockers, quite frankly, that are in the Central locker room are far superior to what seems to be in the new locker rooms that we have built in the out buildings. As far as the existing plumbing fixtures and this and that, yes, I think the $98,000 does address that. Unfortunately again I was not part of or privileged to developing these agreements. I am only here as your representative to administer what is in them. I am being told that the issue of the Central High locker rooms was to be off limits with no modifications made to those facilities. Now you brought up a very, very good point at the last Committee meeting that again we are spending all of this money and at a minimum the shower areas and whatnot that weren't addressed two to three years ago should be. After that Committee meeting, based on your suggestion what we did is we got a group of people together who had an interest in this. Mr. Schubert obviously was one of them. I believe that the Parks Department was also there. Now is this as you are saying going to give them a Taj Mahal there? Definitely not but again I think it is an improvement over what they have their now and again the City did invest two to three years ago in making improvements there.

Alderman Gatsas stated but those modifications…I certainly suggest and maybe what I need to do is get some pictures of those locker rooms because if anybody wants to suggest that somebody said hands off on the Central locker room and they talked about the shower facilities and the two hoppers that are there I think is absurd because there is no way that a Triple A player would ever shower in those conditions ever.

Mr. Thomas responded and I think that is one of the reasons why these new out facilities are being built for the teams that are going to be playing there. Again, I don't know how the scope of work came to be. That was before my involvement. Again, I have to administer what is in the agreement. Obviously if the City wants to invest more money into those facilities we can. The problem is that we made it very, very clear to the team owners that we expected Exhibit B, which was the scope of work, to be adhered to because if you remember correctly the scope of work originally for Exhibit B was shifted slightly. The GMP for $4,150,000 now addressed that scope of work. Anything over and above it quite frankly is going to have to be City funded.

Alderman Guinta stated Frank at the last Committee meeting I thought there was a request from a Committee member for some alternative proposals to solve this issue.

Mr. Thomas answered what we heard and maybe it was wrong and I am not saying that isn't the case but what we heard was that the Central locker rooms area and

the existing locker room areas were in deplorable condition and that is why the following day a walk through was conducted with my staff, Harvey staff, the architect, Mr. Schubert, and Mr. Ludwig and based on this walk through it was a consensus, I believe, that this was the level of improvement that everybody agreed upon and as a result the architect, HNTB, developed this memo and then later a budget was developed by Harvey to address them. Now if you are interested in additional alternatives, we will be glad to…

Alderman Guinta interjected who is here from HNTB. Is there anyone here?

Mr. Thomas responded there is nobody here.

Alderman Guinta stated I am almost positive that the Committee asked…

Alderman Smith interjected I was privileged to walk through those locker rooms. I went with Coach Schubert. I have the existing list of what was discussed by everybody there at that particular meeting and I have looked through the architect and engineer's summary and it is pretty much what we agreed on. Now we had everybody there and I talked to Coach Schubert because I wanted to make sure that he was satisfied. He said it wasn't the best but he said he could understand the circumstances. We went through the stalls and the lockers and so forth but I have the original list that was agreed on by everybody that day. I still have it in my hand and it hasn't changed much from what is on there. If Alderman Gatsas wants to see it, fine.

Chairman O'Neil asked is everyone comfortable with the work that is being done under the guaranteed maximum price. That is the first question, correct Frank?

Mr. Thomas answered yes.

Chairman O'Neil asked is there any concern with that.

There was none expressed.

Chairman O'Neil stated Frank asked us to consider funding the elevator improvements and I think we would have to ask the Finance Officer to work to try to identify the funds to do that. My personal opinion is that is our responsibility. That is my personal opinion. Whether there was a professional baseball team going in there for a year or not, it was an issue. If there are other items that we would like the staff to look at, that is great but I think we would have to identify additional funds to do that work.

Mr. Thomas responded I at a minimum would like also that directive to include the renovations that are being proposed to the locker rooms at approximately $107,000 with the general conditions added on.

Chairman O'Neil asked what is that number again Frank.

Mr. Thomas answered approximately $107,000 for the renovations that have been identified to the existing locker rooms.

Alderman Gatsas stated Mr. Chairman you were a football official at one time and I am sure you have been in and out of those locker rooms many times. There are 80 high school student athletes that are on the Central High football team. We are putting in approximately eight showerheads. Now I don't know about you but I remember being a freshman on a football team and I wasn't the first guy in the shower. So the 80th person may take a shower some time around 9:30 PM I imagine when you are only getting eight at one time so you have 10 rounds of showers and I would say at least five minutes in the shower so if we think it is an accommodation to put eight showers into a locker room for 80 kids when I believe that if memory serves me correct how many showers are there for 37? Twelve I think.

Mr. Thomas responded I quite frankly don't know off hand. I believe it is spelled out in Exhibit B. I can look that up for you.

Alderman Gatsas asked could you please.

Mr. Thomas stated there are 74 metal lockers but that wasn't your question. Off hand I don't have that information here with me tonight. I don't have that number for you.

Alderman Gatsas stated I think somebody behind you has it.

Mr. Thomas responded to quickly respond to that issue of the 80 players, I am not aware of any reason why the other facilities that are going to be built couldn't be utilized by these 80 people who are playing football so they could be utilizing the new locker room facilities that we are talking about. The second thing is and I know this is no justification but Central has been using that facility with that number of showerheads for years. Granted that as you mentioned if you aren't the first one in you are in tough shape but again…

Alderman Gatsas interjected and I guess my point is Frank that we are paying $4 million and we should accept that that is the way it has been. I don't think that is what we should be doing. We should be looking at those athletes and the time

they put in and those accommodations are going to be around for an awful long time.

Mr. Thomas responded and again we are going to have the new shower facilities in those new outbuildings too.

Alderman Gatsas stated well I guess you must have heard the expression no i in team and that is usually why coaches try to keep teams together because I guess the supervision of putting 30 kids outside and keeping 50 inside means you are probably going to have to have your coaching staff supervise the locker rooms.

Mr. Thomas responded again I am not an expert on football by no means but I think that the 80 you are talking about includes both JV and Varsity. I don't believe there are 80 on the Varsity team.

Alderman Gatsas stated they have Freshman and JV and Varsity but they all practice and shower together.

Mr. Thomas asked do they have different coaches.

Alderman Gatsas answered I am sure they do.

Mr. Thomas stated I guess what I am driving at is if there are you could break up those groups into the different facilities.

Chairman O'Neil stated Alderman Gatsas might I suggest that we are going to ask Mr. Thomas to work with the Finance Officer to come up with some additional money to address the stair tower, elevator and catwalk and if there is some direction from this Committee to take a look one more time at what can be done to make sure that everything is being covered as best we can…the conditions and the size of the facility are the size of the facility. We can't change that. It may only allow for eight showerheads. Maybe it will allow for 12. We are not going to get 25 showerheads there. I don't think it is possible.

Alderman Gatsas replied I think if you and I went down and looked at it Mr. Chairman you would find that you could easily structure…

Chairman O'Neil interjected why don't we ask Mr. Thomas to look at that again to see how they can maximize shower and bathroom facilities in there and come back with a number. We are going to have to vote on approval of those funds once they are identified by the Finance Officer and I think we can continue to move forward here.

Mr. Thomas asked are you suggesting that we look at knocking out walls and building new walls to accommodate that.

Chairman O'Neil answered I am not suggesting that.

Alderman Gatsas stated I am suggesting that if somebody wants a suggestion.

Alderman Guinta stated initially when we made the request to come up with an alternative proposal you did. This is the alternative proposal over and above what was initially there. If this Committee is inclined to spend the dollars, which is where we are at. We are looking at spending more City side money to make further enhancements. I am happy to at least look at a proposal and see what it would cost but maybe this Committee should give some direction as to how many showerheads and what kind of facility we are looking for. I mean what is reasonable for 80 players?

Mr. Thomas responded you still could use my premise that you don't need all 80 people in that Central locker room facility. If you want I can have our people talk to the coaching staff of Central to find out how many students are in JV and Varsity or however they break them up and see if it is logical to allocate those students to the facilities that are being proposed there and then whatever is left we can take a look at expanding the Central facilities to accommodate.

Chairman O'Neil asked can we get a motion by the Committee. Let's take the first item to request that the Finance Officer look for additional funds so that the Public Works Director can move forward with the ADA requirements including the elevator and stair tower.

Alderman Guinta moved to direct the Finance Officer to look for additional funds to move forward with the ADA requirements at Gill Stadium. Alderman Sysyn duly seconded the motion.

Alderman Garrity asked Kevin do you have any idea what fund that is going to come out of or what is available.

Mr. Kevin Clougherty answered no. We will look at all of the CIP accounts and any of the fund balances and come back with a recommendation at the next meeting.

Alderman Gatsas asked did anybody look to apply for an ADA waiver. Was there any suggestion of an ADA waiver?

Alderman Smith stated I can address that. We tried to. I got a letter from Boston saying that because of the amount of money being spent on the project and since we were going to be inheriting the stadium after the team left that we would have to do it ourselves. I don't have that letter but I am sure Bill Jabjiniak does.

Alderman Gatsas stated but the waiver comes from the State. The State can waive it.

Alderman Smith responded we went to the State and nothing happened. Leon LaFreniere pursued it. I don't know if he is here tonight and would like to speak.

Mr. Leon LaFreniere stated the ADA is actually administered or enforced by the Department of Justice. I am not aware, frankly, of an appeal procedure or a waiver procedure from those requirements. It was our interpretation of the provisions of the Act as they pertain to this publicly funded and publicly owned facility that this requirement was, in fact, mandated and we did talk with the Department of Justice offices in Boston regarding any potential for another interpretation of how those requirements may be applied and they backed up our interpretation of this provision.

Alderman Gatsas asked so was there any interpretation of ADA accessibility for locker rooms or was that just ignored.

Mr. LaFreniere answered the specific issue that we asked for assistance on interpretation with was the accessibility issue for the stadium facility meaning the seating, as well as the press box. My understanding was that all of the new construction there including the locker rooms will be accessible. I am not aware that there are any accessibility issues with the locker rooms.

Alderman Gatsas stated in the Central locker room there is a lot of problems with accessibility.

Chairman O'Neil stated it is my understanding that all of the design professionals in working with Mr. LaFreniere believe that what has been proposed is going to meet the requirements of the law.

Mr. LaFreniere responded that is my understanding.

Chairman O'Neil stated I am not sure. I am not an expert. I am not sure that every locker room has to be ADA accessible.

Alderman Guinta asked, Kevin, can we use Enterprise funds for these renovations, these additional costs.

Mr. Clougherty answered Parks Enterprise we can certainly look at.

Alderman Gatsas asked what about Sewer.

Mr. Clougherty answered no.

Chairman O'Neil called for a vote on the motion to ask the Finance Officer to look for additional funds to move forward with the ADA requirements at Gill Stadium. There being none opposed, the motion carried.

Chairman O'Neil stated we have a proposal from the staff to do approximately $107,000 worth of improvements to the Central High locker room area. Is that correct, Frank?

Mr. Thomas answered that is correct.

Chairman O'Neil asked is there a motion on that item.

Alderman Smith moved to ask the Finance Director to identify at a minimum $107,000 for the Central High locker room renovations and ask the Public Works Director to look at any other improvements that could be done and come back to the Committee with confirmation on those items. There being none opposed, the motion carried.

Alderman Garrity asked can we possibly ask Frank and his staff to come back with a second proposal and we can compare the two when it is available. Increasing the number of showerheads and things like that to do an extensive renovation over there.

Chairman O'Neil stated that is fine. Frank there must be some design standard that says based on 40 kids, 60 kids, 80 kids you should have so many…I don't know if Leon knows that number.

Mr. Thomas responded as I mentioned what I would suggest doing is allow us to talk to the coaching staff of Central to see what the make-up of the various teams are and how we can allocate those various teams in different locations and then whatever is left that goes into Central we can base a price on knocking out walls or whatever to accommodate those 50 students or whatever the number comes out to but I would suggest that in order for us to proceed in at least starting to identify funds that you also ask the Finance Department to as a minimum see if they can identify that $107,000 that would address this proposal.

Alderman Garrity asked is that something that we want to do. We will have Proposal A, which is the one in front of us tonight and then Proposal B at our next meeting?

Chairman O'Neil stated just for clarification, Frank, the number for what you have here this evening is $107,000 with the general conditions correct.

Mr. Thomas replied approximately $107,000.

Alderman Guinta asked is Mr. DuBois here.

Mr. Thomas answered yes he is.

Alderman Guinta asked can he come forward. According to the minutes of the October 14 meeting, which was the last Committee meeting, I had asked you if and I will quote "You are going to put a proposal forward that we can review. How quickly can you do that and is it going to stall construction?" You stated "I think we probably could put something together in a week, week in a half or two weeks tops." Then I asked "So your idea would be to make some proposals that are going to stay within budget and you are also going to include in that proposal what we would have to leave out of the initial or the new Exhibit B" and your answer was "Sure we could do that." So that is the proposal that I am looking for and as I understood it at the last Committee meeting it was going to be within the budget. I guess I am not clear as to why it is not within…

Chairman O'Neil interjected what is not within the budget.

Alderman Guinta responded well the Central High locker rooms. That is what I was talking about at the last Committee meeting and you were saying that we could come up with a proposal that would stay within budget. This $107,000 I would argue is exceeding the budget.

Mr. Thomas replied well I will let him respond but again I think we had a lot of discussion on the fact that we wanted the improvements identified in Exhibit B made and quite frankly if you are going to come up with $107,000 out of that there is going to be cuts that are going to be made in Exhibit B so there will be serious trade-offs in improvements. If you can define for me what you would like to cut out of Exhibit B I think we can do that. I would not give any direction or even make a suggestion to them to cut Exhibit B because quite frankly we fought pretty had to get Exhibit B in that GMP price of $4,150,000.

Chairman O'Neil asked, Frank, am I correct to say that there have been some better numbers identified. For instance, I am looking at the raker beam issues.

There are two different line items totaling almost $50,000 that nobody knew existed when the original price came out.

Mr. Thomas answered in my opinion those numbers are low. I mean that is what Harvey identified as allowances before they were even included in this GMP number of $4,150,000. The extent of the problems to those raker beams and the column supports was far more severe than anybody had envisioned when these original budgets were put together. Quite frankly if we didn't have this project going on I wouldn't want to be sitting out in Gill Stadium. That is how bad these raker beams and column supports were.

Chairman O'Neil stated and there were other issues. I am looking at two line items totaling about $150,000 regarding the roof replacement under the bowl, another issue that kind of came up later in the discussions.

Mr. Thomas responded well the roof replacement under the bowl originally was spelled out in Exhibit B and in later budgeting estimates that were put together the proposal was to repair and patch what was there. I felt very strongly, similar to Alderman Gatsas and some of his issues, that if we are going to make major renovations to this stadium we have the bowl area removed and we have the seats removed this is the logical time to repair and waterproof that subfloor so yes that number has gone up from what was proposed in earlier budgets on the part of Harvey. There have been items that have gone up and gone down. Originally the turf was over $1 million. That has finally through the bidding process and negotiations come down to I think $800,000+ so the numbers have been moving and that has been part of my concern. No offense to the contractor but until we got a GMP those numbers couldn't move up and down. It is fine with a GMP for them to move down. We reap the benefits but if they move up the contractor eats the cost.

Mr. Carl DuBois stated just to follow-up on what we were saying we have been working diligently to try to get the requests of everybody within the budget and I thought what we presented tonight based on prior discussions in prior meetings that we had it all nailed down. We could certainly go back and look again. It is just getting extremely difficult as time goes on.

Alderman Guinta stated I am just saying that at the last meeting you said you could bring two proposals forward. All I think I want and the Committee wants is the proposals to see what the fiscal impact is so we can make an informed decision on what to do. That is what we asked at the last Committee meeting. We don't have it quite yet. We did have an initial proposal of $107,000. It seems like the Committee is going in the direction of asking for additional information so what I would like to do is receive that as soon as we can. I appreciate the time constraints

you are under but in order to make this project flow as easily as possible and try to address some of these needs…I mean we are willing to work with you as much as we need to but in order to make the decisions we need to at least see the proposals so that would be my comment.

Alderman Smith asked, Carl, as the status is at Gill Stadium right now will you be able to open up on April 15 outside of a few cosmetic things or would this…if we do allow the money to be spent for these additional things would this set you back. What is the situation?

Mr. DuBois answered currently right now as everyone can see we are proceeding on the items that we have been released on. There are a number of items and we are hoping that tonight we would get to a point where we could cut everything loose and purchase everything. There will be seasonal items that we will not be able to finish this year based on a number of reasons. We will be back doing finish paving for example. Our latest estimate shows us being there doing punchlist items into May but the field will be ready and the facilities will be ready for the ball team in April.

Alderman Smith asked in regards to Frank's questions is there any way that we can possibly as a Committee get through department mail a bi-weekly report on the status of finances and any changes. Would that be possible, Frank?

Mr. Thomas answered certainly. The budget numbers should only be changing once a month as requisitions for payments come in but obviously we can give you a status report on a weekly basis. We can summarize the expenses to date on a bi-weekly basis if you want. That is something that can be done. Again, as you can see from this handout we have internally been doing those picture status reports for our own file and we continue to have people go over there on a daily basis and check the progress and the caliber of work that is being done there. So yes we can give you a report on a two-week basis if you would like.

Alderman Smith stated the only reason why is there has been a lot of miscommunication. I have been an advocator of this from Day 1 and I get reports from someone who reads the newspaper and it says we are going to have bleachers instead of seats and there is a lot of misinformation and if we can try…it seems that every other day there is a problem with baseball and a lot of that is miscommunication of misinformation and that is what I would like to get out of the way.

Mr. Thomas responded again I think that the fact that we now have an approved Exhibit B that you approved at the last Committee meeting coupled tonight with a GMP for Exhibit B, you shouldn't be hearing those changes and talking about

bleachers and seats the seat that will be utilized in Gill Stadium is in the back of the hall. It is green. It is a fold-up and it is very good quality. Actually I think Harvey should be commended. They did some additional shopping around and they got what I feel is a top quality seat for that facility.

Alderman Smith asked in regards to the seats I understand that we did bring it to the Central High musical director to make sure that it was okay with the band and we wouldn't have damage to the seats and it would be good for the band to utilize these seats.

Mr. Thomas answered yes they were very satisfied with the seats.

Chairman O'Neil called for a vote on the motion to ask the Finance Director to identify at a minimum $107,000 for the Central High locker room renovations and asking the Public Works Director to look at any other improvements that could be done and come back to the Committee with confirmation on those items. There being none opposed, the motion carried.

Chairman O'Neil asked Frank is there anything else on the construction of Gill Stadium that you need to have addressed tonight.

Mr. Thomas answered no unless somebody has had a chance to review that little handout and has any questions. If not, Red Robidas would like to just raise a couple of issues regarding security for Gill Stadium. One is in regards to a security fence and the second is for an alarm system. What I would like to do is ask Red to come up and present those proposals to you.

Chairman O'Neil stated the first thing we need to do though is hear from the Finance Officer and then we will bring Red up.

Deputy Clerk Johnson stated I just want to get a clarification on the reports that Alderman Smith was asking for so that we don't have conflicting ideas. It is my understanding that the status reports…was it the intent that those be distributed to the full Board or to the Special Committee and are those going to come through the Clerk's Office?

Alderman Smith responded as a courtesy to my fellow colleagues, the whole Board.

Mr. Thomas stated so it will be something similar to that colored status report that we will be making available every two weeks and maybe just a summary of the expenses paid to date.

Deputy Clerk Johnson asked can the Clerk's Office have one for their records.

Mr. Thomas answered yes and you can also make the copies if you would like.

Chairman O'Neil stated Kevin I know that you wanted to update the Committee and other Board members that are here on the finances of the entire project.

Mr. Clougherty stated just to alert the Board as you know we have been working with the developers and we have been working with the City Solicitor and our Bond Counsel and underwriters to insure that we meet timetables in order to get bonds issued with respect to the project. I want to report tonight that I am in receipt of letters of credit as required under the agreements. They are in sufficient amounts in terms to allow for the project to proceed forward. I also have asked the Assessors to revisit the amount of assessment to feel comfortable in that regard. I have received a letter from them and feel that there is sufficient authorization to move forward with the bonds on that front. We have also been talking to the league to make sure that the Eastern League is…that our approvals there are sufficient. We have Eastern League approval and the Solicitor and I and my staff have been working with Joe MacEachern to make sure that that is taken care of. As you heard tonight we have the GMP and the construction management aspect of the project seems to go forward. I would advise the Committee that we will be moving forward. The Riverfront project will be included as part of the bond issue that we will be pricing this week and the bond sale will go forward. Also in that regard we will be including the City's general obligation debt to the CIP and any refunding issue. We are at a point now with these letters of credit where we are finally crystallizing what the roles are of different parties and now that we have the letters of credit and once the bonds are issued there will be some housekeeping that will have to be done to the agreement. As you know some of the language has the power plant in it and other things so we will go back and clarify all of those documents over the next couple of weeks and bring that back to the Committee hopefully for its next meeting so that we can review that and start the beginning of the calendar year with the project financed and with these documents brought forward up-to-date and we will move forward on that point.

Alderman Garrity asked, Kevin, could I possibly get an update on the request for disbursements for Gill Stadium. Are there more requests into your office?

Mr. Clougherty answered there are. Randy, do you have a summary of that? Frank probably has that. I haven't signed off on them but there are some in the process, I understand, to go forward.

Alderman Garrity asked the $712,000 disbursement…

Mr. Clougherty interjected the original one.

Alderman Garrity answered yes. What was the date of that?

Mr. Clougherty stated I don't have that in front of me. I am sure Frank or somebody behind me might have those records or have that date? Randy, do you know the date?

Alderman Gatsas stated the 26th.

Alderman Garrity asked do you have copies of the LLC.

Mr. Clougherty answered yes.

Alderman Garrity stated I would like to see those too.

Mr. Clougherty responded that is fine. What I will say is if I make copies available to you and I think the press has asked for them too, I am going to black out certain codes and numbers and things so that we conform to privacy laws. You will have the dollar amount and the individual but not the bank codes and things like that.

Alderman Gatsas asked, Frank, do you have those requisitions that Alderman Garrity was asking for.

Mr. Thomas answered yes I do.

Alderman Gatsas asked what is the most recent requisition that was asked for.

Mr. Thomas answered it was requisition #4 from Harvey Construction for construction costs to date on Gill Stadium.

Alderman Gatsas asked total.

Mr. Thomas answered I could tell you what was requested. That requisition has not been approved yet for payment. The requisition is in the amount of $924,778 and also on that requisition was one month of CM charges with Manchester Downtown Visions so the total requisition amount is for $941,444.

Alderman Gatsas asked that is requisition #4.

Mr. Thomas answered yes.

Alderman Gatsas asked what is requisition #3.

Mr. Thomas answered requisition #3 was for engineering costs to date on the new stadium and some additional work that was done on Gill Stadium. What is requested in the requisition totals $736,968.45. At this time, I am recommending payment of approximately…well payment in the amount of $514,943.46.

Alderman Gatsas asked and requisition #2.

Mr. Thomas answered requisition #2 did not go through me. It went through Bill Jabjiniak's office. That requisition is in the amount of $1,143,915 and it is titled land acquisition.

Alderman Gatsas asked Kevin can you explain that requisition to me please.

Mr. Clougherty answered my understanding is the land acquisition information is related to the stadium and it is part of the agreements that have been adopted pursuant to the program.

Alderman Gatsas asked can we make it a little bit more specific because I don't remember anything that was $1.1 million for land acquisition that the City was acquiring.

Mr. Clougherty answered again I will have to go back and take a look at it.

Alderman Gatsas responded let me see if I can refresh your memory. I believe that the developer early on in this process said that he was paying off the indebtedness to Singer Park along with the stage, which was somewhere around $775,000. Is that correct? He was paying that. That was supposed to be paid up front and paid for when I asked the question directly about whether that payment has been made and I believe Mr. Sherman said yes it had.

Mr. Clougherty replied I believe that is correct.

Alderman Gatsas stated so the understanding that this Board voted on was that the developer was paying $750,000 to clear that indebtedness. Now do I understand that we are repaying that indebtedness to the developer?

Mr. Clougherty responded I am not sure that your understanding is correct, Alderman, but again I am going to have to go back and look at this. I will be prepared to speak at the next Committee meeting or…

Alderman Gatsas interjected I can tell you that I am going to bring that up at the full Board meeting this evening so please be prepared to address that under new business this evening.

Mr. Clougherty responded okay.

Alderman Garrity asked, Frank, on requisition #3 the request was for $736,968 and you are approving $514,000 or recommending that $514,000 is the payment.

Mr. Thomas answered I am recommending that the $514,000 number is a number that I feel comfortable in releasing and that it addresses what is spelled out in the agreements. I have said that I will take a look at some of the other deleted charges at a later date and if it can be proven to me that they are related to the development agreement or the lease agreement or the master agreement…right now I don't agree with what was submitted.

Alderman Garrity stated at our last meeting on October 14 this Committee made a motion that put you in charge of the project. Is that correct, Frank?

Mr. Thomas answered more or less that is correct.

Alderman Garrity asked if you feel that the $514,000 should be approved versus the $736,000 where does that request go from your desk. Down here to City Finance or the Economic Development Office?

Mr. Thomas answered it goes through the Economic Development Office to Jane Hills who processes the paperwork and then it goes to the Finance Department who will ultimately cut the check for payment. I would assume that they would base the release of funds on our recommendation.

Alderman Garrity asked on your recommendation.

Mr. Thomas answered correct.

Alderman Garrity stated I just want to make sure that that is understood, Mr. Chairman, because the Committee did give Frank the authorization to run the project and I don't want to see something leave his desk where he recommends $514,000 and then it gets down to City Hall and the check is a different number. I just want everybody to understand that you have the authority on that.

Mr. Clougherty responded we understand that too, Alderman, but if as part of the review process there is something that Frank might not be aware of we will bring

that to his attention and ultimately he will sign that and look at that and understand that and it will go through the proper channels to Economic Development.

Mr. Thomas stated that is correct. On the bottom of my suggestion for release I note that this recommended payment can be adjusted in the future if deleted charges can be shown to be design related and not pre-design related and that the geo-technical work was stadium related. What I basically did was left the door open. If somebody could come in and clarify my position we will make up the difference at a later date but right now what would be cut as a check would be my recommendation.

Alderman Garrity asked and how about requisition #4. Have you come up with a recommendation for that.

Mr. Thomas answered requisition #4 is pretty good. The reason why we have not made a recommendation for payment on it yet was we did ask Harvey Construction for some additional back-up information and information justifying certain costs. We also wanted a certification that work was completed by their architect and we just got that in today. Harvey Construction's requisition I feel will be pretty close to what was requested.

Alderman Garrity asked on the first one for $712,000 your recommendation was $644,000. Can anybody tell me why the disbursement was for $712,000?

Mr. Clougherty stated Frank's original sign off was for the lower amount. We went back and reviewed the documents and what the costs were and they were legitimate and it was increased.

Mr. Thomas stated we are still playing in some respect catch-up with a lot of this stuff. Again, we have the ability to make adjustments in the future. There can be adjustments made right up to the end until we release the final payment so that is why I am not concerned if one payment…hopefully from now on they will be after we do our due diligence on them but again we do have the flexibility to adjust payments in the future to make sure they conform to our liking.

Alderman Gatsas stated if I add up requisition #1, #2, #3 and #4 I come out to about $3.2 million. That tells me that about 75% of the project is completed or 75% of the funds are depleted. Can you tell me how we are going to finish the rest of the project with some $900,000?

Mr. Thomas responded first of all, all of these charges are not Gill related. A lot of these charges come off the new stadium or the total $28.5 million. They are not all Gill Stadium related.

Alderman Gatsas asked is there any way we can get an itemized amount from the top to the bottom so that we know who is on first.

Mr. Thomas answered we will be glad to do that and that will be included in the first status report that we get out. Some of these requisitions have not been paid yet. We will summarize that. That will be broken up by Rule 58 costs. It will be broken up by Gill charges and it will be broken up by new stadium for the remainder.

Alderman Gatsas asked I assume all of that will be done before somebody hollers "play ball."

Mr. Thomas answered definitely.

Chairman O'Neil asked, Red, can this wait two weeks until our next meeting.

Mr. Robidas answered yes.

Chairman O'Neil asked what you are proposing has a cost to it, correct.

Mr. Robidas answered yes.

Chairman O'Neil asked do you have the money.

Mr. Robidas answered no.

Chairman O'Neil stated well tentatively we will probably meet in two weeks. We will coordinate with the Finance Director and the Public Works Director that they will be ready to meet but we will try to fit something in the first week of December if possible.

There being no further business, on motion of Alderman Smith, duly seconded by Alderman Garrity, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee