



TOWN OF ARLINGTON
MINUTES OF THE PERMANENT TOWN
BUILDING COMMITTEE MEETING

Date: February 26, 2025

Time: 7:00PM

Location: Each of the Committee Members and the Guests were present at the Community Room of Community Safety Building unless otherwise indicated below.

Attendance: Allen Reedy, Jim Feeney, Michael Rademacher, John Maher, Paul Schlichtman, Brett Lambert, Peter Martini and Jim Feeney with Mr. Reedy and Mr. Lambert joining by the Zoom Platform. Deputy Town Counsel Jaclyn Munson was also in attendance.

Absent: Bob Jefferson

Guests: Jeff Alberti and David Steeves; Weston and Sampson and Adi Toledano and Josh Sydney of Sydney Associates with the latter joining by the Zoom Platform.

The meeting was a joint meeting with the Town Finance Committee.

The Chairman Allen Reedy called the meeting to order at 7:02 PM.

Mr. Schlichtman moved and Mr. Martini seconded that the Committee enter into Executive Session in accordance with M.G.L. ch. 30A, s. 21(3). The purpose of this Executive Session permitted the Committee to consider matters before it regarding a particular DPW project and associated costs and potential litigation with a general contractor for that project (Commodore). This discussion was appropriate for Executive Session because an open discussion on this matter may have a detrimental effect on the Town's litigation position by exposing its strategy to Commodore in a public setting. The motion further instructed that the Committee would return to open session only for the purpose of adjourning the meeting. The motion passed unanimously on a roll call vote.

Once the Committee convened in Executive Session, Mr. Alberti provided a very substantive and lengthy slide presentation in which he traced the history of the site at issue and its many problems and delays. Mr. Alberti noted that many of the problems and delays related to unforeseen subsoil conditions at the site which led to the Project's contingency fund being depleted. Mr. Alberti requested, on behalf of the Permanent Town Building Committee, that the Finance Committee approve an additional \$380,000 to finish outstanding change orders that have not yet been finalized.

As part of Mr. Alberti's presentation, the Committee also discussed Commodore's prospective claim against the Town for payments Commodore alleges are owed to it. A discussion ensued

regarding the Town's exposure to liability, strategies for resolution and the veracity of Commodore's potential claim against the Town.

In addition, the Committee discussed the Town's past relationship with certain industrial parties that had previously contaminated the site at issue, and how the resolution of that contamination could factor into the Town's liability if it proceeded with litigation against Commodore.

Numerous questions and comments emanated from members of the Finance Committee and PTBC members and project team responded.

The Finance Committee voted to approve the requested funds. The members of the PTBC and project team thanked the Fincom for their approval.

Whereupon a motion was made to come out of Executive Session by Mr. Schlichtman seconded by Mr. Maher and it was unanimously voted by roll call vote.

Whereupon a motion to adjourn was made by Mr. Maher and was seconded by Mr. Martini and it was unanimously voted by roll call vote.

Respectfully Submitted,
John F. Maher, Temporary Clerk