

**Mansfield Municipal Electric Department  
Minutes of Light Commissioners Meeting  
March 29, 2023**

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**Present:** Chair Jess Aptowitz, Commissioner Mike Trowbridge, Clerk Diana Bren, Commissioner Neil Rhein and Light Department Manager Joseph Sollecito

The meeting was held at the Mansfield Town Hall, room 2AB and was called to order at 5:30 PM.

A complete copy of the Board packet containing all documents that are referenced in the minutes is on file at the Mansfield Municipal Electric Department office.

**Change Order for the Equipment Storage Building floor** – Manager Sollecito told the Board that the new equipment storage building went up well and is a great facility. The specifications called for an epoxy finish on the floor but because of the temperature in late fall/early winter, it wouldn't work. An alternative resin product was used instead and now the floor may allow more slippage when wet than anticipated. Manager Sollecito told the Board that there have been many emails and meetings with TBA Architects since then. He explained there is a difference between 'non-slip' and 'slip resistant' and that the specifications called for a slip resistant, not a non-slip, floor. Manager Sollecito said that MMED will have to pay extra money for a non-slip floor. He noted that if water froze on the floor, as there is no heat in the building, there could be a problem with potential ice buildup. He would prefer to make the floor a 'non-slip' surface with the Board's approval of the \$12,000 change order.

Commissioner Trowbridge stated that this is a design defect and that the architect should have known but feels the Board has to approve this for the safety of the employees. There was a lot of conversation about how this building was not going to be heated and the architect knew water would be introduced. Commissioner Trowbridge is disappointed that the architect did not pick up on this. Manager Sollecito said that both the Architect and Contractor communicated disappointment that none of them picked up on this and noted that they all should have.

Commissioner Rhein questioned liability issues regarding slipping and falling. Manager Sollecito said he spoke with counsel. Even with the extra coating it could still be slippery so there would still be potential for liability issues. Commissioner Rhein asked if MMED had asked the architect to pick up the extra cost. Manager Sollecito said he did ask the architect and also spoke to counsel about it. He said MMED could always pursue it after the fact.

Clerk Bren said the Board definitely has to look out for employee safety but feels the extra cost should be split 50/50 between MMED and the architect. She noted that they have spent \$40,000 to \$50,000 on change orders at this point.

Chair Aptowitz said there are two issues, the first is fixing it and the second is who is paying for it. Commissioner Trowbridge said that MMED has to pay for now. Manager Sollecito said in terms of the overall project cost that MMED has an obligation to pay (to Tower Construction) and there is no reason for him to hold back their payment.

**Motion: To approve Manager Sollecito to proceed with the \$12,000 change order for the floor in the equipment storage building (Trowbridge/Bren) Passes 4/0**

**Motion: To adjourn at 5:50 PM (Bren/Trowbridge) Passes 4/0**

Respectfully submitted: Jacqueline Lee

Neil Rhen  
Signature of Clerk

4/10/23  
Date of Approval