

**EAST WINDSOR BOARD OF SELECTMEN
BOARD OF EDUCATION
AND BUILDING COMMITTEE**

MINUTES OF JANUARY 6, 2015 - SPECIAL JOINT MEETING

I. TIME AND PLACE OF MEETING

The meeting was called to order by First Selectman Denise Menard at 5:36 p.m. at the East Windsor Town Hall meeting room, 11 Rye Street, Broad Brook, CT.

II. ATTENDANCE

Board of Selectmen Members: First Selectman Denise Menard, Jason Bowsza, Dale Nelson and Jim Richards. Steve Dearborn arrived at 6:00 p.m.

Board of Education Members: Chairman Chris Mickey, Cathy Simonelli, Randi Reichle, Kathy Bilodeau, Nichole DeSousa, George Michna, Scott Morgan and Patti Nelson.

Building Committee Members: Chairman Al Rodrigue, Bill Grace, Skip Kement, Dick Pippin, Joe Sauerhoefer, Tom Stremper and Jim Thurz.

Also present were Joshua Hawks-Ladds, Town Attorney; Chris Chinni, Attorney for the Board of Education; Len Norton, Town Engineer/Director of Public Works; Kim Lord, Town Treasurer; Dr. Theresa Kane, Superintendent of Schools; Chris Cykley of CREC Construction Division; and Richard Labrie of Futures Education, Consultant to the East Windsor school system.

III. DISCUSSION OF BROAD BROOK SCHOOL MODULAR CLASSROOM PROJECT

First Selectman Menard noted that the modular classroom project came in over-bid again. She said she wanted them all to meet together to do some brainstorming as to what the next step should be to move forward. At a previous meeting between the Building Committee and Board of Education it was recommended by the Board of Education to have 10 classrooms with accordion dividers to create 14 classrooms. Ms. Menard said this was passed on to the Town Attorney to determine whether that would follow what the referendum called for. She said he has reviewed this and has some reservations.

Atty. Hawks-Ladds said that with the cost overrun, the scope having changed from the original Building Committee resolution and the timing, what has taken

2 ½ years to get to where they are now, his opinion is that a new referendum will be needed. He said his understanding is that on June 4, 2012 the Building Committee voted on a resolution to replace the eight existing portable modular classrooms with 14 permanent modular classrooms. Atty. Hawks-Ladds noted that the Building Committee is charged with overseeing these types of projects for the Town. He referred to "An Ordinance Creating a Permanent Building Commission" (Attachment A). He said it is important that this ordinance be followed going forward. His opinion is that the decision to have 10 classrooms with dividers does not comply with what was voted on in the referendum. The referendum was for 14 classrooms at a cost of 3.77 million dollars. In May of 2014 the bid was issued and because of the numbers it was reissued in October of 2014. The new bid had 10 classrooms with an added alternate of another 4 classrooms. The cost went up to close to 5 million dollars.

BOE Chairman, Chris Mickey said the existing units have out-lived their life expectancy. He asked for a show of hands as to whether they need more space for the Broad Brook School. Everyone raised their hand.

Mr. Mickey distributed copies of a document entitled "Modular Project Cost of Options". (Attachment B). This was reviewed and discussed. Mr. Mickey noted that all options included the windows. He said the windows were mandatory with the State. They won't reimburse if they don't have the windows as part of the program. Discussion followed with members of the 3 boards expressing their opinions regarding the various options. Dick Pippin expressed concern that the two-month window while the students are out of school is not realistic and that is one reason why the bids were high.

Kim Lord noted that the original project cost was 3.7 million dollars and it now would be 7.286 million dollars.

Members of the 3 boards discussed what the next step should be. Mr. Cykley of CREC noted that there were motions by both the Building Committee and the Board of Education to move forward with the Mod Space proposal and they should be rescinded. He said that should be done at their regular meetings.

IV. PUBLIC PARTICIPATION:

Marie DeSousa expressed concern that the longer this is on hold the more it will cost. She said we don't know what the State will do. She was concerned about

the safety of the students that are in the existing modular classrooms. She suggested moving some of the students to the middle school.

Jack Mannette said in 2012 it was explained to the people that the modulares are in bad condition. He said they responded to that in the referendum. He said the children don't deserve to have a piecemeal system. He suggested putting on a permanent addition to the school where the recreation area is.

V. ADJOURNMENT:

Upon **MOTION** by Ms. Nelson;
VOTED: To adjourn at 7:02 p.m.
In Favor: Unanimous

Seconded by Mr. Richards, it was

Respectfully submitted,

Marlene Bauer

Marlene Bauer
Building Committee Recording Secretary

AN ORDINANCE CREATING A PERMANENT BUILDING COMMISSION

BE IT ORDAINED by the legislative body of the Town of East Windsor the following ordinance creating a Permanent Building Commission:

ORGANIZATION:

The Permanent Building Commission shall consist of nine members, all of whom shall be electors of the Town of East Windsor.

The Board of Selectmen shall appoint three members to serve for a two-year term, three members to serve for a four-year term, and three members to serve for a six-year term. Biennially thereafter it shall appoint three members each of whom shall serve a six year term or until successor is appointed.

The first meeting of the Commission shall elect a chairperson, a vice chairman and a secretary.

Meeting shall be held upon the call of the chairperson or a majority of Commission members.

The Commission shall conduct its business in accordance with Roberts Rules of Order.

POWERS AND DUTIES:

The Town of East Windsor Building Commission shall inventory and annually inspect all buildings owned by the Town of East Windsor. On or before September 15 of each year the commission will make recommendations to the First Selectman for necessary repairs and renovations.

The Commission shall submit to the Board of Selectmen each September a five-year capital plan of prioritized structural and/or major capital building expenditures.

Subject to approval by the Board of Selectmen and the limits of appropriations allocated to a given project, the Commission shall prepare construction plans as needed for each project; employ architects, engineers and such other services as may be required; procure competitive bids as needed for each project; recommend contract awards in accordance with the Commission's best judgement; arrange for adequate supervision of each project; and generally supervise and direct any alteration, renovation, expansion or construction authorized by the Board of Selectmen.

The Permanent Building Commission shall coordinate the functions and approvals of the various Town boards, agencies and departments to facilitate the alteration, expansion, sale, demolition or construction of public buildings, structures and facilities within the Town. The Permanent Building Commission shall review all building projects funded by the Town.

EFFECTIVE DATE:

This ordinance shall become effective fifteen days after publication of its approval in a newspaper having general circulation in the Town of East Windsor.

- The BOE will spend \$ 104,328 for the rental of the 8 portable classrooms.
- The bids for the modular classrooms came in significantly over the amount budgeted.
- The State will not approve our plan to scale back the project to the amount budgeted. According to the legislation for the State grant all of the project must be completed including the 14 classrooms and the energy conservation (windows).
- The windows and furniture, fixtures and equipment were never part of the bid. The plan was to bid separately. The Building Committee was aware of this and agreed with it.
- It is common practice to bid separately.
- There is no mandate to bid all phases of a project simultaneously.
- The State allows for a one time request for additional funding during the life cycle of a project and their recommendation is to request the additional funding necessary and do it all.
- Another option is to seek legislative approval to scale back the project (10 classrooms) and ask for the additional funding difference, with or without the windows.
- Either option does not allow us to continue at this time. A new Town referendum is required for either option. Either option will delay construction for another year (summer 2016).

The Options at this time appear to be:

Option 1: Request additional State aid for all 14 classrooms and the windows.

- This would require another referendum and a request to the State for additional State aid.
- We would have to test for hazardous materials prior to establishing a concrete cost for the windows and the abatement.
- Estimated Cost: \$ 7,286,785 State Share: \$ 4,163,990 Town Share: \$ 3,122,795
- BOE Annual Payments: \$ 207,827

Option 2: Request additional State aid for the 10 classrooms and eliminate the energy conservation (windows) from the grant application.

- This would require a new referendum and a revision of the legislation for the State grant to reduce the scope to 10 classrooms only.
- Estimated Cost: \$ 5,069,324 State Share: \$ 2,880,967 Town Share: \$ 2,188,357
- BOE Annual Payments: \$ 145,639

Option 3: Include the cost of the windows and request the additional State aid.

- *We would have to test for hazardous materials prior to establishing a concrete cost for the windows and the abatement.*
- Estimated Cost: \$ 976,800 State Share: \$ 565,176 Town Share: \$ 411,624
- BOE Annual Payments: \$ 27,394

Option 4: Abandon the project. Presumably, the State would want the return of those funds advanced to date on the project plus any excess expenditures: \$ 261,346.60 (January 6, 2015). The Town may want to be reimbursed for the cost of the bond issuance: \$ 72,120.68 Total: \$ 333,467.28

BOE Consensus: Option 2 (10 classrooms) plus the Windows

Request additional State aid for the 10 classrooms plus the energy conservation (windows).

- This would require a new referendum and a revision of the legislation for the State grant to reduce the scope to 10 classrooms plus the cost of the windows.
- We would have to test for hazardous materials prior to establishing a concrete cost for the windows and the abatement.
- Estimated Cost: \$ 6,046,124 State Share: \$ 3,446,143 Town Share: \$ 2,599,980 Total: \$ 6,046,124
- BOE Annual Payments: \$ 173,033 BOE Available for Debt Service: \$ 174,500

(Portable rental plus Nurse's Suite renovation)