

Litchfield Schools Building Committee Meeting Minutes

LOCATION

Litchfield Intermediate School Cafeteria

DATE OF MEETING

January 15, 2009

TIME MEETING STARTED

7:13 PM

PERSON PREPARING THE MINUTES

Marianne Arancio Stilson

MEMBERS PRESENT

- | | |
|---|-----------------------------------|
| 1. Jack Healy, Chair | 2. Lynn Chapman |
| 3. Jeff Zullo, Treasurer & BOF Representative | 4. Bob Blazek, BOS Representative |
| 5. William J. Buckley, Jr. | 6. Stacie Kavle, Vice Chair |
| 7. Gary Waugh - BOE Representative arrives at 7:14 PM | |

MEMBERS ABSENT

- | | |
|--------------------------|----------------|
| 1. Kent Gilyard | 2. Mac Bramley |
| 3. Leo Paul - Ex-Officio | |

OTHERS PRESENT

A. Brooks Fischer of Herbert S. Newman, Tony Crowe, Peg Perusse, Winnie Harrison, Wayne Shuhi and Roberta Healy

QUORUM PRESENT

Yes

1. CALL TO ORDER

Jack Healy, Chair called the meeting to order at 7:13 PM.

2. APPROVAL OF MINUTES

Jack Healy, Chair asks for a motion to approve the minutes of the Regular Meeting on September 18, 2008, November 20, 2008 and January 8, 2009 Special Meeting.

Motion: Jeff Zullo moved to approve the meeting minutes of the regular meeting on September 18, 2008.

So moved. Seconded: Lynn Chapman

Discussion: None

Vote:

Abstention: Bob Blazek and Lynn Chapman

Additions: None

Absent: Kent Gilyard, Mac Bramley and Leo Paul - Ex-Officio

All Ayes

Motion passed

Motion: Lynn Chapman moved to table the approval of the meeting minutes of the regular meeting on November 20, 2008.

So moved. Seconded: Bob Blazek

Discussion: None

Vote:

Abstention: William J. Buckley, Jr. and Jeff Zullo

Additions: None

Absent: Kent Gilyard, Mac Bramley and Leo Paul - Ex-Officio

All Ayes

Motion passed

Motion: William J. Buckley, Jr. moved to approve the meeting minutes of the special meeting on January 8, 2009.

So moved. Seconded: Lynn Chapman

Discussion: None

Vote:

Abstention: Bob Blazek

Additions: None

Absent: Kent Gilyard, Mac Bramley and Leo Paul - Ex-Officio

All Ayes

Motion passed

3. COMMUNICATION

Report from Jeff Zullo on BOF Communication

Jeff Zullo reported to the BOF on Monday night and communicated the current contingency condition, the status of the punch list items and COR's and there was no request from the BOF.

Report from Gary Waugh on BOE Communication

Gary Waugh has no report this evening.

Report from Jack Healy on BOS Communication

Jack Healy, Chair reported to the BOS all the updates and the where the project is at this point, the approximate contingency, that FFE was all done, that some punch list items were outside of the punch list and an example is the stack that needs to be addressed. He also reported on the potential lawsuit with Connecticut Carpentry. He reported that there were issues with their invoices and the quality of their work and that we hadn't gotten an agreement with the architect and the construction manager on the work so that is why they have not been paid. The BOS agreed with the procedure for the contractor.

Correspondence

Jack Healy, Chair reports that he has sent various emails during the month to the members of the Committee concerning the lawsuit from Connecticut Carpentry.

Motion: Jeff Zullo moved add Agenda Item Executive Session to after Agenda Item **10. Public Participation** to discuss litigation.

So moved. Seconded: Bob Blazek

Discussion: None

Vote:

Abstention: None

Absent: Kent Gilyard, Mac Bramley and Leo Paul, Ex-Officio

All Ayes

Motion passed

Jack Healy, Chairman reports that George Graikoski from O&G will not be here this evening. He states that he did receive an email from George Graikoski.

4. DISCUSS CHANGE ORDER REQUESTS (COR's) AND CHANGE ORDERS (CO's). TAKE ACTION AS DEEMED NECESSARY

Jeff Zullo feels that the email received from George Graikoski this week regarding the COR's was not clear. It did not outline the COR's in detail. Discussion ensues. Jack Healy, Chairman states that he received an email from Mike Brennan and that O&G was hand delivering the COR's to the contractors and that they were going to wait to have them signed while they were hand delivered. Jeff Zullo states that that is assuming that the contractors were going to agree with the COR's. Peg Perusse states that she believes that they have already been initialed by the contractors but have not been formally signed. Jack Healy, Chairman states that he has an issue with this because he remembers that this same thing was supposed to be done back in October to get this work done before the contract expired and obviously this was never done. Jack Healy, Chairman also states that at the January 8th meeting, George Graikoski was told to get all the COR's to A. Brooks Fischer for his review immediately and A. Brooks Fischer states that he has not received anything since the last meeting. Jack Healy, Chairman is concerned because he is not sure that they are all in budget and when they are closed then he will be sure that the reports are accurate. Jeff Zullo wants to know what the explanation is from O&G as to why there is a delay in completion. He states that construction on the projects was over a year ago. He further states that their Committee is now paying Newman for there time. Jack Healy, Chairman states that the Committee too is looking for closure on this project. Jack Healy, Chairman states that he is also getting a lot of phone calls again from contractors wanting to be paid. He states that he is recommending to the Committee that they meet more frequently to get this project done. Jeff Zullo wants a special meeting with Mike Brennan and or an executive from O&G to confirm what has been done, what needs to be done and why there is a delay. He states that the Committee is expending resources for their inaction. Jack Healy, Chairman states that the COR's are going to be hand delivered to him at home on Monday but if A. Brooks Fischer has not seen them and should have already based on the January 8th meeting, he will just have to hand deliver them to A. Brooks Fischer for review before he will sign them. A. Brooks Fischer states that he is in concurrence with all the COR's. William J. Buckley, Jr. states that according to the email, O&G states that there are only three CO's waiting to be signed by Newman. He states that Newman responded that they already signed them and sent them to O&G and George Graikoski did not respond. William J. Buckley, Jr., states that he is not comfortable with George Graikoski's reports. He feels that Connecticut Carpentry is a perfect example of this. He states that Tectonics will look at Connecticut Carpentry's work as well as everyone else's work and if the work is defective the bonding company should be notified. William J. Buckley, Jr., agrees that Mike Brennan needs to come to a meeting to address these issues. Jeff Zullo questions having any more meetings until the Tectonics report comes in. Jack Healy, Chairman states that one meeting a month is not getting the work done because a month later, the work still has not been done and answers to any questions for the next meeting are not getting done. At each meeting the same items discussed with no resolution. He wants to get this project done and feels this is the way to do it. William J. Buckley, Jr. feels that it is a total waste of time to come to a meeting with George Graikoski because someone else is calling the shots and making the decision and have the company stand behind that decision. He also feels that the Committee should keep track of any expense that the Committee incurs because someone does not come. The fees should be back billed. A. Brooks Fischer states that he is keeping separate track of his hours.

5. DISCUSS ALLIED ROOFING REQUEST FOR PAYMENT AND CORRESPONDENCE. TAKE ACTION AS DEEMED NECESSARY.

A. Brooks Fischer states that there was a meeting on this issue on Monday and that after the meeting he went to look at some other roofs. He states that of all the roofs he went to see, none is as wrinkled as the school roof. He states that it is concerning to Newman because they do not feel that it meets the specifications. He states that the specifications say, "to reduce wrinkles as much as possible." He states that it is Newman's opinion that the installation that the

Committee has here is not as good as installations of the same product on similar type of roof structures in other areas. Unfortunately, from the meeting, Saranfil did not come with any solutions on how to fix it. He states that even George Graikoski was under the impression that they were going to come to the meeting with possible solutions. They came to the meeting with the attitude that this is what it is and this is what you get. He states that he was not happy. He states that he looked at two installations but that he can look at more if the Committee wants him to. A. Brooks Fischer states that both installations that he saw were better than the installation that was done here. Discussion ensues. William J. Buckley, Jr. would like to have another company come and give the Committee an estimated price and recommendation on how to get the wrinkles out of our roof. Then he would suggest that the bonding company be notified. He would like to wait for the Tectonics report to come back first to see what it has to say about the roof and whether it is consistent with the contract specifications. Jeff Zullo would like a formal communication from Newman on this for the file. William J. Buckley, Jr., states that there is already a letter from Newman stating that the work does not conform with the specifications. Discussion of this being a performance issues ensues. Discussion of the guarantee ensues. William J. Buckley, Jr. is concerned and wants the wrinkles documented and if a failure occurs, he wants a full replacement of the roof. William J. Buckley, Jr. states that the specification is not just for performance. A. Brooks Fischer will send correspondence to Tectonics on the issues with the roof and copy the Committee. Stacie Kavle, Vice Chair states that she asked A. Brooks Fischer to send the photographs to Tectonics. Tony Crowe states that he was at the meeting and that it was his understanding that the fix will not be easy. He feels that Saranfil and Allied were very negative about doing anything about the roof.

6. DISCUSS STAINING BELOW GYM ROOF EDGE AT LHS. TAKE ACTION AS DEEMED NECESSARY

Jack Healy, Chairman states that an email was sent to the members. A. Brooks Fischer states that the exhaust fans that have the mushroom cap on them are causing the staining on the walls from dust and dirt being blown down on the wall. He notes that they are new fans. This item will be taken off of the agenda next month.

7. DISCUSS ISSUES LIST FROM NOVEMBER MEETING. TAKE ACTION AS DEEMED NECESSARY.

1. The restoration of the north end

A. Brooks Fischer states that the DTC reviewed and looked in the north end parking lot and he also did research with the planning and zoning approvals and didn't see anything that required it to be restored. He went back to the original drawings and didn't see anything there either. He states that DTC did write a specification to fix the area. He states that he sent it to George Graikoski today for a price.

2. The cost of the prints for the engineering

None discussed.

3. If there are no specifications for the north end then they need to be done

See #1 above.

4. The extension on the stack

Tectonics looked at the stack issue today. Waiting to hear back from George Graikoski as well.

Discussion of receiving a draft report or just a final report from Tectonics ensues. Jack Healy, Chairman will take to Don at Tectonics and to Attorney Casagrande to discuss this. Stacie Kavle, Vice Chair is concerned that when the report is done, there may be a lot of action that has to take place and if there are issues, shouldn't the Committee know about them sooner than later. Discussion ensues.

5. **The additional cost for the drainage at the Middle/High School**
None discussed.
6. **The two windows being replaced**
Back billing discussed. Waiting for George Graikoski's report.
7. **The exhaust for kiln**
None discussed.
8. **HSN additional costs**
None discussed.
9. **Heating for bathrooms**
None discussed.
10. **The three change orders for the screens for the projectors**
None discussed.

11. The issue of the brown water at the dishwasher

Tony Crowe sent the water test and comments from Aquarian to Jack Healy, Chairman. He was wondering if any other information was needed or if he can get a water softener. Discussion ensues of the quality of the water, the installation of the water softener, the results of the water test, the new dishwasher, the products used for the dishwasher and a guarantee that this fix will work ensues. Tony Crowe states that they are not using the dishwasher and using Styrofoam and that is getting expensive. Also, that the same thing is starting to happen in the other school.

Motion: Gary Waugh moved to appropriate \$2,150 to purchase a water softener for the Intermediate School with the money coming from contingency.

So moved. Seconded: Bob Blazek

Discussion: Discussion of needing two water softeners ensues. Discussion of the water softener being the fix based on the water test levels ensues. William J. Buckley, Jr. wants a guarantee from the company installing it that this will solve the problem. The Committee would like Tony Crowe to use a company like Calgon to be sure that this is the solution.

Motion Withdrawn

Second Withdrawn

Motion: Gary Waugh moved to proceed to try to remediate the water discoloration problem in the Intermediate School by hiring a company with a cap not to exceed \$4,000.00 with the money coming from contingency funds.

So moved. Seconded: Bob Blazek

Discussion: Discussion of getting a guarantee ensues. Discussion of the extra money being used for extra testing to be sure installing a water softener is needed to fix the issue. The Committee thinks that maybe Tectonics should look at this issue. The Committee is concerned that they will be spending \$4,000.00 for a softener that does not solve the problem.

Vote:

Abstention: None

Absent: Kent Gilyard, Mac Bramley and Leo Paul, Ex-Officio

Objection: Jeff Zullo

Ayes: William J. Buckley, Jr., Lynn Chapman, Stacie Kavle, Bob Blazek, Gary Waugh

Motion passed

8. ARCHITECT/CONSTRUCTION MANAGER UPDATES

Budget (O&G)

George Graikoski of O&G is not present this evening. None discussed.

Schedule Update (O&G)

George Graikoski of O&G is not present this evening. None discussed.

Jeff Zullo would like George Graikoski to come in with a definitive schedule. Jack Healy, Chairman will call a special meeting for this purpose.

Alternate Options List Review (Lynn Chapman)

Lynn Chapman has no report this evening. None discussed.

9. FINANCE COMMITTEE – Take actions as needed

Approval of Invoices

Jack Healy, Chair hands out to the members of the Committee the list of the invoices to be approved.

Motion: William J. Buckley, Jr. moved that the following invoice be forwarded to the Chairman for approval subject to his review to make sure that the proper signature and certifications are there.

VENDOR	APP/INV#	INV. DATE	AMOUNT	SCHOOL
Connecticut Business Systems	3	12/29/2008	\$7,361.00 CO	Middle/High

So moved. Seconded: Bob Blazek

Discussion: Jack Healey, Chairman states that this is for the projection screens.

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: None

All Ayes

Motion passed

Motion: moved that the following invoice be forwarded to the Chairman for approval.

VENDOR	APP/ INV#	INV. DATE	AMOUNT	SCHOOL
Marianne Arancio Stilson	1092009-Split	1/9/2009	\$183.51	Middle/High
Marianne Arancio Stilson	1092009-Split	1/9/2009	\$90.39	Intermediate

So moved. Seconded: Bob Blazek

Discussion: None

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul - Ex-Officio

Abstention: None

Objection: None

All Ayes

Motion passed

Motion: William J. Buckley, Jr. moved that the following invoice be forwarded to the Chairman for approval subject to his review to make sure that the proper signature and certifications are there.

VENDOR	APP/INV#	INV. DATE	AMOUNT	SCHOOL
Tectonic Engineering & Surveying	194577	1/6/2009	\$1,119.57	Middle/High
Tectonic Engineering & Surveying	194577	1/6/2009	\$551.43	Intermediate

So moved. Seconded: Bob Blazek

Discussion: Gary Waugh wants to know if this is a monthly bill. William J. Buckley, Jr. states that this is from November 22nd to December 26th. Note says "site civil work".

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: None

All Ayes

Motion passed

Motion: William J. Buckley, Jr. moved that the following invoice be forwarded to the Chairman for approval subject to his review to make sure that the proper signature and certifications are there.

VENDOR	APP/INV#	INV. DATE	AMOUNT	SCHOOL
Newman & Partners	17336	1/12/2009	\$971.59	Middle/High
Newman & Partners	17336	1/12/2009	\$478.50	Intermediate

So moved. Seconded: Bob Blazek

Discussion: This is for time beyond the contract and also not for time that is being kept separately to be back billed to the contractors that were discussed.

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: William J. Buckley, Jr.

Ayes: Jeff Zullo, Jack Healy, Chairman, Lynn Chapman, Stacie Kalve, Vice Chair, Bob Blazek and Gary Waugh

Motion passed

Motion: William J. Buckley, Jr. moved that the following invoice be forwarded to the Chairman for approval subject to his review to make sure that the proper signature and certifications are there.

VENDOR	APP/INV#	INV. DATE	AMOUNT	SCHOOL
Lockheed Window	8	1/31/2008	\$12,794.00	Intermediate

So moved. Seconded: Bob Blazek

Discussion: Retainage reduction. One half of the retainage. Discussion of the back billing ensues. William J. Buckley, Jr. notes that the certification is all marked up and the dates do not match.

Motion Withdrawn

Second Withdrawn

Motion: William J. Buckley, Jr. moved to authorize the Chairman to pay the Lockheed Window Invoice #8 dated 1/31/2008 in the amount \$12,794.00 subject to his review to make sure that the proper signatures and certifications are there and subject to a credit being shown on the remaining invoice reflecting the back bill for the window that was replaced at the school.

So moved. **Seconded:** Bob Blazek

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: None

All Ayes

Motion passed

Motion: William J. Buckley, Jr. moved that the following invoice be forwarded to the Chairman for approval subject to his review to make sure that the proper signature and certifications are there.

VENDOR	APP/INV#	INV. DATE	AMOUNT	SCHOOL
PSI-NESP	5473	10/23/2008	\$3,646.90	Intermediate

So moved. **Seconded:** Bob Blazek

Discussion: Last part of library work. Shelving for media center.

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: None

All Ayes

Motion passed

10. TECHNOLOGY UPDATE – TAKE ACTIONS AS NEEDED

None discussed.

11. FF&E UPDATE – TAKE ACTIONS AS NEEDED

None discussed.

12. PUBLIC PARTICIPATION

None

EXECUTIVE SESSION

Motion: William Buckley, Jr. moved that the Committee go into Executive Session to discuss pending or potential litigation and requests that A. Brooks Fischer, Tony Crowe and Peg Perusse stay for the Executive Session.

So moved. **Seconded:** Bob Blazek

Discussion: None

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: None

All Ayes

8:50 PM - *The public leaves*

Motion: Jeff Zullo made a motion to come out of Executive Session.

So moved. Seconded: William J. Buckley, Jr.

Discussion: None

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: None

All Ayes

Out of Executive Session at 9:01 PM and *the meeting is open to the public.*

Motion: William J. Buckley, Jr., moved to direct the Construction Manager to notify Connecticut Carpentry that they have failed to perform under the contract and notify the bonding company of the defect and the failure to perform consistent with the contract.

So moved. Seconded: Lynn Chapman

Discussion: William J. Buckley, Jr. states that there are provisions in the contract that should be quoted. The Committee discusses the motion. Jeff Zullo wants to put a time frame on the motion so that it is done right away.

Amended Motion: Jeff Zullo moved to amend the motion to instruct the Construction Manager to have the notification to Connecticut Carpentry and the bond company sent out no later than the close of business on Friday, January 16, 2009.

So moved. Amended Motion Seconded: Bob Blazek

Vote:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: None

All Ayes

Amended Motion passed

Vote on Original Motion:

Absent: Kent Gilyard, Mac Bramley and Leo Paul – Ex-Officio

Abstention: None

Objection: None

All Ayes

Motion passed

10. TECHNOLOGY UPDATE – TAKE ACTIONS AS NEEDED

None discussed.

11. FF&E UPDATE – TAKE ACTIONS AS NEEDED

None discussed.

12. PUBLIC PARTICIPATION

None

13. FUTURE AGENDA

Jack Healy, Chairman will set down a special meeting over the next couple of weeks to speak to O&G Management and George on COR's and punch list and Newman does not have to attend

this meeting to move the project forward. Jack Healy, Chairman will send out a draft agenda for the members to look at and comment on before it is filed. Also, Jack Healy, Chairman notifies the Committee that it is his intention to call more meetings per month to get this project to completion.

14. ADJOURNMENT

Jack Healy, Chairman asks for a motion to adjourn. William J. Buckley, Jr., moved to adjourn. The motion was seconded by Gary Waugh at 9:07PM and carried unanimously by the members of the Committee.

Respectfully submitted,

Marianne Arancio Stilson

Marianne Arancio Stilson
Recording Secretary