

MINUTES
Town of Brookfield
High School Renovation Review Committee Meeting
May 14, 2012 – 5:00 P.M.
Town Hall – Room 209

1. **Call to Order**: Meeting was called to order at 5:20 P.M. by Co-Chairman George Walker.

Present: Committee Members: Paul Checco, Rob Gianazza, Ron Jaffe and Kerry Swift.

2. **Review of Minutes**:

o **April 23, 2012 H.S. Renovation Review Committee Meeting**: A motion was made by Rob Gianazza to approve the minutes from the April 23, 2012 H.S. Renovation Review Committee Meeting. The motion was seconded by Ron Jaffe and passed unanimously, 4-0. Mr. Checco abstained. He was not present at that meeting.

3. **Public Comment**: None.

4. **Project review/discussions**:

5:20 P.M. – Bryan Luizzi – Unable to attend. Secretary Swift will try to reschedule Dr. Luizzi for the May 29, 2012 meeting.

5:40 P.M. – To Be Announced - No one scheduled for this time slot.

6:00 P.M. – To Be Announced - No one scheduled for this time slot.

5. **Continuing discussion on the project**:

Co-Chairman Walker stated that he had spoken with Brian Lerner a couple of weeks ago. Mr. Lerner was reluctant to meet with the Committee but indicated that he would think about it. Co-Chairman Walker has left three messages for Mr. Lerner without a return call.

Mr. Checco stated that he spoke with Bill Mead who said that he does not want to meet with the Committee. Due to his exit agreement with JCJ, he does want to discuss any of the internal issues. Some of these issues included understaffing of the project and people being shifted from the project onto higher paying projects. Mr. Checco said that he and Mr. Mead had discussed the project getting kicked back from SFU a few times with silly comments which were directly related to the staffing issue. Mr. Checco stated that there was no real principal in charge of the project. Co-Chairman Walker stated that the message that keeps coming through from everyone is that there was no one in charge.

Co-Chairman Jaffe said he spoke with Jay Chittum and Dennis DiPinto. Mr. Chittum said that this was the first time the Town had been asked for approval of the entire project. Prior to this, approval was requested for just the design phase. He said that Kaestle Boos had been kicked out because they were being held responsible for the asbestos mess. Delay of a year placed political stress on the project. Contracting went through the First Selectman's Office and not the MBC. In the past it had been handled through the MBC. Mr. Chittum said that political issues between the MBC and Mr. Foncello created many problems. He noted that the MBC was not involved in the RFP process at all. Mr. Chittum questioned whether the addition of the sewer line could have meant that additional state funding was available. He said that after the shovels go in the ground modifications can be requested. Co-Chairman Jaffe said that had the MBC, WPCA, First Selectman and School Administration been communicating, the option might have been that the sewer line could have been left in the project with the possibility of going back to the State to determine whether the Town could have received additional reimbursement. Mr. Chittum had said that the architect is partially responsible for helping the Town to obtain the reimbursement. Mr. Checco stated that Mr. Murphy had removed JCJ's construction administration portion from their contract which resulted in a \$200,000 credit.

Mr. Chittum also said that at the beginning there was not a clear assignment of financial monitoring to the Town Controller or the School Business Manager. The Town Controller paid the bills; however, all of the forms and processing to the State had to go through the Superintendent's Office. There was no coordination. He stressed that these roles need to be clearly defined from the beginning.

Mr. Chittum said that up until the point that Kaestle Boos was demonized, the relations with the schools went pretty smoothly. He said that when the RFP went out, he spoke with several construction manager prospects but Morganti was predetermined to get the job. Mr. Foncello made the decision whether to have a CO or GM. Mr. Chittum doesn't believe that the architect protected the Town.

Co-Chairman Jaffe also spoke with Mr. DiPinto who said that it was extremely obvious from the beginning that the relationship between Morganti and JCJ was not good. The relationship between Morganti and Guerrera was particularly bad. He said that Morganti lied to the Town. Superintendent Goetz had walked out of a meeting in frustration because he was not getting answers.

Mr. DiPinto had brought up the selection of Atlantic Lining for the fields. Mr. Checco explained that Atlantic Lining was the low bidder. However, during the vetting process it was disclosed that they had no experience. They were disqualified because the specs had an experience clause. The Town then awarded to the next lowest bidder. Between that time and the next MBC meeting, a representative from Atlantic Lining (who was a Town resident) met with Mr. Murphy and Mr. Bolek. At their next meeting, the MBC was directed by the First Selectman that Atlantic Lining was going to be the vendor. Atlantic Lining would be hiring someone with field experience. Mr. Checco stated that Atlantic Lining was being hired against Morganti's objections.

Mr. DiPinto said that the MBC did great work but it took a long time to get them to pay attention to field concerns. Mr. Checco said that it took a long time for the MBC to get the support of the Town behind them regarding the field concerns. Mr. DiPinto had said that no one had respect for Atlantic Lining from the beginning. He also said that there were people at Morganti who were not trustworthy. The three contractors did not want to work with each other and were scapegoating each other. Guerrera took pictures of Atlantic Lining's work to prove they were not at fault. He said the Owner's meetings were a joke. Vice Chairman Gianazza said that the Owner's meetings consisted of the school principal, the business manager and representatives from Morganti; not the MBC. Co-Chairman Walker stated that these people had no authority.

Mr. DiPinto felt that if the MBC had more responsibility, things could have been improved. There should have been a Clerk of the Works or someone to protect the Town's interests. For the first year Mr. DiPinto felt that he had major responsibility with no support. He said that when the track was first done 16 years ago, a Clerk of the Works was hired for \$30,000 which kept things on track. He said that this was the best money the Town ever spent.

Vice Chairman Gianazza stated that what hasn't come up in discussions was Lawrence Mechanical. He said that they were a disaster. Mr. Checco said that was due to JCJ's oversight and lack of coordination. Vice Chairman Gianazza said that the air flow and the design of the cooling and heating systems were not handled properly.

Mr. Checco brought up that there had been a pit in the middle of the field. He said soil borings and a lot of the investigation should have been done on the front end. The Town did not want to spend this money up front.

Co-Chairman Jaffe stated that there was little incentive for JCJ and Morganti to work together which caused delays in the project. He felt that things were done at the end to get back at the Town. He brought up for instance the electrical panel boxes not being labeled. Vice Chairman Gianazza stated that when items were substantially complete, the contractor would move onto another project. Secretary Swift brought up the poor condition of the Women's bathroom in the Main Lobby. She referenced the trim work and the vanity.

Secretary Swift said that there has to be enforcement of the contract. She recommended that the Town should have a Clerk of the Works and that there should be more prep work.

Co-Chairman Walker said that between now and the next meeting the Committee members need to get their recommendations done. The Committee will forward their recommendations to Co-Chairman Jaffe who will consolidate the information.

Mr. Checco stated that if the contract had been executed as a Construction Manager as advisor, Morganti would have had the oversight role throughout the contract making them accountable to the Owner. What had been signed was a CM advisor pre-bond and CMS instructor post-bond. In the middle of the process, Morganti became the GC which put them in charge of the project. In addition, the Town had removed JCF's oversight from the contract. That void was not filled by the Town. Mr. Checco stated that the contract had been reviewed by the Town Counsel. For almost four years, the MBC had asked for special counsel with construction litigation experience. This occurred at the end of the project.

The Committee discussed the format that they would use for the report to the Town. Co-Chairman Jaffe recommended that the first part of the report should discuss whom the Committee met with, what their function was, what was learned and the conclusions. The meeting minutes will be attached to the report.

6. Next Meeting: Tuesday, May 29, 2012 – 5:00 P.M. – Room 209

7. Adjourn Meeting: A motion was made by Rob Gianazza to adjourn the meeting at 6:04 P.M. The motion was seconded by Kerry Swift and passed unanimously, 5-0.

Respectfully submitted,

Kerry Swift
Secretary