

Kortze, John

From: Furrier, William [William.Furrier@unilever.com]
Sent: Wednesday, December 15, 2010 10:37 AM
To: Po Murray; Susan Marcinek; Harry Waterbury; Jim Gaston; Joe Kearney; Kortze, John; Marty Gersten; Mike Portnoy; ann.benore@newtown-ct.gov; Barbara Bozemen; Ben Spragg; Bob Merola; bruce walczak; Christopher Lagana; Dan Amaral; Dave Grogins; David Nanavaty; Debbie Leidlein; debbie.aurelia@newtown-ct.gov; Dr. Robinson; Elaine McClure; Fran Pennarola; Fred Hurley; Gary Davis; George Ferguson; James Beldon; Jan Andras; Jan Brookes; Jeff Capeci; Kathy Fetchick; Kathy June; Kevin Fitzgerald; Lillian Bittman; Linda Zukauskas; Mary Ann Jacob; Pat Llodra; Renee; Richard Gaines; Richard Woycik; Robert Tait; Ron Bienkowski; Will Rodgers; William Hart
Subject: RE: BOF Special mtg./Litchfield Hall Demolition-Community Center Design Project

Po, a thoughtful message. I agree with much of your analysis. Speaking as a taxpaying resident, I would be outraged if this does not go to a public vote. I hope instead that the LC includes adoption by a town meeting as part of the process.

I hope that the LC makes the case to the town that this expenditure is one that we need to address now without delay and include a public meeting where the community gets to vote it up or down. I hope that they would make any case based on facts, and that if insufficient facts exist, then they would wait and instead suggest this work be put on the CIP alongside our other priorities and go from there.

I hope that the LC understands that to omit public approval would be an exercise of government power in the absence of consent from the governed; exactly the kind of behavior that has gotten us to a point where our town government has lost a large portion of the public trust. At a time when we are seemingly mending that trust, I hope the LC understands that back door funding like this will kick the door open to accusations asserting that we don't deserve that trust.

Po, I remain confident that our Republican Supermajority on the LC will show that they hold the "conservative" values that individual liberty trumps government power, indeed a central premise of our nations founding, and give the people the final say. I am hopeful that they will include a public meeting in the process of adopting this resolution and do so without hesitation.

Bill

From: Po Murray [mailto:pomurray@charter.net]
Sent: Wednesday, December 15, 2010 7:20 AM
To: 'Susan Marcinek'; 'Harry Waterbury'; 'Jim Gaston'; 'Joe Kearney'; 'John Kortze'; 'Marty Gersten'; 'Mike Portnoy'; ann.benore@newtown-ct.gov; 'Barbara Bozemen'; 'Ben Spragg'; Furrier, William; 'Bob Merola'; 'bruce walczak'; 'Christopher Lagana'; 'Dan Amaral'; 'Dave Grogins'; 'David Nanavaty'; 'Debbie Leidlein'; debbie.aurelia@newtown-ct.gov; 'Dr. Robinson'; 'Elaine McClure'; 'Fran Pennarola'; 'Fred Hurley'; 'Gary Davis'; 'George Ferguson'; 'James Beldon'; 'Jan Andras'; 'Jan Brookes'; 'Jeff Capeci'; 'Kathy Fetchick'; 'Kathy June'; 'Kevin Fitzgerald'; 'Lillian Bittman'; 'Linda Zukauskas'; 'Mary Ann Jacob'; 'Pat Llodra'; 'Renee'; 'Richard Gaines'; 'Richard Woycik'; 'Robert Tait'; 'Ron Bienkowski'; 'Will Rodgers'; 'William Hart'
Subject: RE: BOF Special mtg./Litchfield Hall Demolition-Community Center Design Project

Dear BOS, BOF and LC members,

I am disappointed that you are pursuing additional \$425,000 for the Litchfield Hall demolition project by simply changing the bonding resolution when the voters of Newtown are rightfully distracted by the holidays (10 days until Christmas). How do you simply change the bonding resolution that has been approved by the voters already? How did we end up in this situation? How did we not know that there were asbestos in the building? Your current accelerated approach for more funds for a partially completed project during the holidays is very

12/15/2010

sneaky.

Please read the LC meeting minutes from 3/19/08. Three and a half years ago, I made a suggestion that we only spend \$100,000 instead of \$1 million to properly vet this project (to properly develop a schematic design for the community/senior center and to acquire better cost estimates for the project). There are significant inconsistencies in the vetting process between the school projects and the town projects.

Once again, the project estimate was inaccurate and I am hoping that you will question this project as passionately as you did with the HS expansion project, the middle school roof project or the Hawley HVAC project. Please take into account that many of you have stated that this is the "most dire economic situation" in your lifetime (many voters had to move heaven and earth to have \$200,000 of the \$2.5MM BOF school budget reduction reinstated during this budget season). Are we no longer in a "dire economic" climate? Are you only fiscally conservative when the school board asks for funds?

I recognize that the additional funds do not need a public vote since it is under \$500,000 (I opposed this charter change for this reason) however given that there are much passion/angst regarding Fairfield Hills spending, current work being done by the FFH Master Plan Review Committee, and the purchase of half of NYA is being explored for a community center (after already spending \$400,000 for the design phase of the community center????), it would seem reasonable to slow down this appropriation process to make a sound decision then allow the voters to decide. When the bids came in too high for the HS expansion project, the voters were asked to decide on the additional \$6MM. The voters were circumvented with the Greenwich parking deal. Please do not bypass the voters again.

I would love to have a community center but it must be fully vetted and the public must endorse the project.

Po Murray
38 Charter Ridge Drive

NEW BUSINESS.

Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park and Recreation Community Center/Senior Center And Authorizing The Issuance Of \$1,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Mr. Pennarola moved Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park and Recreation Community Center/Senior Center And Authorizing The Issuance Of \$1,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. He also moved to waive the reading of the entire resolution. Second by Mr. Capeci. Mr. Pennarola noted that while it is not in the body of the resolution, it is his expectation that \$600,000 will be for architectural fees and \$400,000 for demolition. Mr. Rodgers noted that "demolition of buildings" was substituted for "demolition of Litchfield Hall" by the Board of Selectmen. Mr. Aurelia said that he understands that the \$600,000 for architectural fees is about 10% of the total cost which is the same percentage as the architectural fees for the High School project. Ms. Murray said that her intent in moving to reduce the amount to \$100,000 was to use a small amount to initiate a schematic design because we have not vetted project as we did the High School. Mr. Davis asked why are we doing this now? Mr. Rodgers said that it is the hope of the Board of Finance that since there are several items on the referendum to appeal to votes, hopefully this will stop the cycle of the defeat of the first operating budget. As to whether there is money in the original bonding resolution for demolition, Mr. Rodgers feels that part of what Mr. Rosenthal and Mr. Geckle were thinking was that state grant monies would be available. Ms. Murray feels that this resolution should not be acted on before the High School is addressed and can lease money be used for this? Mr. Rodgers said that the lease money is not available for demolition but for infrastructure loop improvements. Mr. Davis and Ms. Murray feel that more specific numbers are needed. Mr. DiCandido would like to see separation of costs; he is in favor of the resolution but agrees that it should not be voted on before the High School resolution. Mr.

Rodgers reminded that we did not stall the High School resolution. Also we took this item off the CIP and told the parties to work together, which they have done. Mrs. Llodra said that not acting would smack of duplicity.

Mr. Davis moved to amend the motion to delete after and demolition “ of buildings” and to insert “of Litchfield Hall”. Second by Mr. Aurelia. Mr. Rodgers noted that two buildings must be demolished to build the Recreation Community Center/Senior Center and the change was made so that both buildings might be demolished if funds permit. Ms. Murray said it is a problem that two projects are lumped together as one. After more discussion, Mr. Davis withdrew his amendment and Mr. Aurelia withdrew his second.

Roll call on the main motion: 11 YES (Pennarola, Amaral, Aurelia, Brookes, Capeci, Davis, DiCandido, Hemingway, Llodra, Lyddy, Rodgers) 1 NO (Murray).

Original Message-----

From: Susan Marcinek [mailto:susan.marcinek@newtown-ct.gov]

Sent: Tuesday, December 14, 2010 1:30 PM

To: 'Harry Waterbury'; 'Jim Gaston'; 'Joe Kearney'; 'John Kortze '; 'Marty Gersten'; 'Mike Portnoy'; ann.benore@newtown-ct.gov; 'Barbara Bozemen'; 'Ben Spragg'; 'Bill Furrier'; 'Bob Merola'; 'bruce walczak'; 'Christopher Lagana'; 'Dan Amaral'; 'Dave Grogins'; 'David Nanavaty'; 'Debbie Leidlein'; debbie.aurelia@newtown-ct.gov; 'Dr. Robinson'; 'Elaine McClure'; 'Fran Pennarola'; 'Fred Hurley'; 'Gary Davis'; 'George Ferguson'; 'James Beldon'; 'Jan Andras'; 'Jan Brookes'; 'Jeff Capeci'; 'Kathy Fetchick'; 'Kathy June'; 'Kevin Fitzgerald'; 'Lillian Bittman'; 'Linda Zukauskas'; 'Mary Ann Jacob'; 'Pat Llodra'; 'Po Murray'; 'Renee'; 'Richard Gaines'; 'Richard Woycik'; 'Robert Tait'; 'Ron Bienkowski'; 'Will Rodgers'; 'William Hart'

Subject: BOF Special mtg.

Please see attached.

*Sue Marcinek
Executive Assistant
Office of the First Selectman
3 Primrose Street
Newtown, CT 06470*

(203) 270-4203

(203) 270-4205 (fax)

Kortze, John

From: Mary Ann Jacob [mjacob4404@charter.net]
Sent: Wednesday, December 15, 2010 1:09 PM
To: Kortze, John
Subject: Fwd: Litchfield hall

Sent from my iPhone

Begin forwarded message:

From: "Bruce Walczak" <bw.reloconsult@snet.net>
Date: December 15, 2010 8:11:20 AM EST
To: "Barbara Bozemen" <bozemanb@newtown.k12.ct.us>, "Ben Spragg" <bspragg9274@charter.net>, "Bill Furrier" <William.Furrier@unilever.com>, "Bob Merola" <rmerola@sbcglobal.net>, "bruce walczak" <bw.reloconsult@snet.net>, "Christopher Lagana" <clagana36@gmail.com>, "Dan Amaral" <amaralpoggy@aol.com>, "Dave Grogins" <dgrogins@cohenandwolf.com>, "David Nanavaty" <nanavaty@sbcglobal.net>, "Debbie Leidlein" <debbieleidlein@gmail.com>, <debbie.aurelia@newtown-ct.gov>, "Dr. Robinson" <robinsonj@newtown.k12.ct.us>, "Elaine McClure" <ransommclure@yahoo.com>, "Fran Pennarola" <fpennarola212@earthlink.net>, "Fred Hurley" <fred.hurley@newtown-ct.gov>, "Gary Davis" <gbdavis88@charter.net>, "George Ferguson" <george@fergusondevelopmentgroup.com>, "James Beldon" <jbeldenpootatuck@yahoo.com>, "Jan Andras" <janandras@yahoo.com>, "Jan Brookes" <jbrookes222@yahoo.com>, "Jeff Capeci" <jeff@thecapecis.com>, "Kathy Fetchick" <Kfetchick@charter.net>, "Kathy June" <junek@newtown.k12.ct.us>, "C. Lyddy" <CLyddy@gmail.com>, "Kevin Fitzgerald" <kevinkis@aol.com>, "Lillian Bittman" <bittmanboe@aol.com>, "Linda Zukauskas" <lzukauskas@ctvoices.com>, "Mary Ann Jacob" <mjacob4404@charter.net>, "Pat Llodra" <pat.llodra@newtown-ct.gov>, "Renee" <renee.weimann@newtown-ct.gov>, "Richard Gaines" <r.gaines.boe@charter.net>, "Richard Woycik" <rdwoycik@sbcglobal.net>, "Robert Tait" <robert.tait@newtown-ct.gov>, "Ron Bienkowski" <bienkowskir@newtown.k12.ct.us>, "Will Rodgers" <sugrbrk@aol.com>, "William Hart" <whartboe@gmail.com>
Subject: Litchfield hall

Ladies and gentlemen, most of us agree, I suspect, that a half taken down building cannot be left standing. Litchfield Hall should be taken down. The question is the process we utilize to accomplish this goal. Fairfield Hills and the Authority have many special privileges granted via the State Act and the Newtown ordinance. With these privileges comes a special responsibility to be make sure the public is well informed and agrees with the actions taken.

Over the last few years a great deal of money has been spent or committed to FFH without voter consent. The original NYA lease includes Newtown's commitment to purchase 1400 hours of court time for 40 years. This was never approved by the voters. Without any

inflation that is \$5 million dollars. Subsequent to that the Authority approved a negative lease, also without voter approval, and committed another almost \$5 million dollars. Millions of dollars of grants have been applied for or redirected to FFH, with no voter approval. Public manpower has been transferred from one cost center to another without proper disclosure nor public vote.

It is time to change our decision process and include the voters of Newtown on decision at FFH. Its special classification should lead you to the same conclusion, involve the voters more.

I urge you to send the special appropriation request for Litchfield Hall to town meeting vote, where I am also sure the voters will approve the expense.

Bruce Walczak

President

Relocation Consultants, Inc

P.O. Box 0769, Newtown CT 06470

203-364-0616

Fax: 203-549-0479

Kortze, John

From: Mary Ann Jacob [mjacob4404@charter.net]
Sent: Wednesday, December 15, 2010 2:05 PM
To: Po Murray
Cc: Kevin Fitzgerald; <harrison.waterbury@sbcglobal.net>; <okjt@aol.com>; <jkearney19@aol.com>; Kortze, John; <mjglaw@aol.com>; <mike@trustadvisors.net>; <susan.marcinek@newtown-ct.gov>; <ann.benore@newtown-ct.gov>; <bozemanb@newtown.k12.ct.us>; <bspragg9274@charter.net>; <William.Furrier@unilever.com>; <rmerola@sbcglobal.net>; <bw.reloconsult@snet.net>; <clagana36@gmail.com>; <amaralpoggy@aol.com>; <dgrogins@cohenandwolf.com>; <nanavaty@sbcglobal.net>; <debbieleidlein@gmail.com>; <debbie.aurelia@newtown-ct.gov>; <robinsonj@newtown.k12.ct.us>; <ransommclure@yahoo.com>; <fpennarola212@earthlink.net>; <fred.hurley@newtown-ct.gov>; <gbdavis88@charter.net>; <george@fergusondevelopmentgroup.com>; <jbeldenpootatuck@yahoo.com>; <janandras@yahoo.com>; <jbrookes222@yahoo.com>; <jeff@thecapecis.com>; <Kfetchick@charter.net>; <junek@newtown.k12.ct.us>; <bittmanboe@aol.com>; <lzukauskas@ctvoices.com>; <pat.llodra@newtown-ct.gov>; <renee.weimann@newtown-ct.gov>; <r.gaines.boe@charter.net>; <rdwoycik@sbcglobal.net>; <robert.tait@newtown-ct.gov>; <bienkowskir@newtown.k12.ct.us>; <sugrbrk@aol.com>; <whartboe@gmail.com>
Subject: Re: Five reasons to wait before spending another \$425,000 for Litchfield Hall demo

Po,

I have no idea what will happen tonight and it would be inappropriate for me to conduct town business via email that should be discussed in public. I also cannot comment on previous spending in Fairfield Hills as it was before my term. However your implication that something sneaky is being done is frankly insulting, I would expect more from you.

Mary Ann

Sent from my iPhone

On Dec 15, 2010, at 1:40 PM, "Po Murray" <pomurray@charter.net> wrote:

Mary Ann,

I wrote to you because I am not able to attend the BOF and the LC meetings tonight since I have another meeting and I have some carpool duties.

Am I to assume from your note that this item will get approved and it will go to a town meeting?

I made my assumptions in my e-mail based on the past actions related to FFH spending (Greenwich Hall, public works \$ being diverted to FFH etc...). Don't you think it is odd that this item was not discussed at the BOS last Monday night yet the BOF and the LC are asked to expedite the approval one week later? Why is it that the BOS did not approve this appropriation? Is it because someone found a way to change an already-approved bond authorization by simply changing the numbers? It is clear there has been significant amount of work already done outside the appropriate public process.

I would like to make a case for this item and all capital requests be placed on the referendum ballot so that more than a dozen voters participate in making these important decisions. The town meetings with inadequate notices (small notice in the Bee that no one sees) are grossly antiquated and does not serve the electorate well. You may recall that everything was on the ballot when we approved the HS expansion. Many other towns allow the residents to vote for all projects (big or

small) on the referendum ballot.

Po

-----Original Message-----

From: Mary Ann Jacob [mailto:mjacob4404@charter.net]

Sent: Wednesday, December 15, 2010 12:53 PM

To: Kevin Fitzgerald

Cc: harrison.waterbury@sbcglobal.net; okjt@aol.com; jkearney19@aol.com; john.kortze@wellsfargoadvisors.com; mjglaw@aol.com; mike@trustadvisors.net; pomurray@charter.net; susan.marcinek@newtown-ct.gov; ann.benore@newtown-ct.gov; bozemanb@newtown.k12.ct.us; bspragg9274@charter.net; William.Furrier@unilever.com; rmerola@sbcglobal.net; bw.reloconsult@snet.net; clagana36@gmail.com; amaralpoggy@aol.com; dgrogins@cohenandwolf.com; nanavaty@sbcglobal.net; debbieleidlein@gmail.com; debbie.aurelia@newtown-ct.gov; robinsonj@newtown.k12.ct.us; [ransommclure@yahoo.com](mailto:ransommcclure@yahoo.com); fpennarola212@earthlink.net; fred.hurley@newtown-ct.gov; gbdavis88@charter.net; george@fergusondevelopmentgroup.com; jbeldenpootatuck@yahoo.com; janandras@yahoo.com; jbrookes222@yahoo.com; jeff@thecapecis.com; Kfetchick@charter.net; junek@newtown.k12.ct.us; bittmanboe@aol.com; lzukauskas@ctvoices.com; pat.llodra@newtown-ct.gov; renee.weimann@newtown-ct.gov; r.gaines.boe@charter.net; rdwoycik@sbcglobal.net; robert.tait@newtown-ct.gov; bienkowskir@newtown.k12.ct.us; sugrbrk@aol.com; whartboe@gmail.com

Subject: Re: Five reasons to wait before spending another \$425,000 for Litchfield Hall demo

Po, Bruce and Kevin,

Why the assumption that it will not go to a town meeting? Looking forward to having the appropriate process be discussed publicly.

Mary Ann

Sent from my iPhone

On Dec 15, 2010, at 9:52 AM, Kevin Fitzgerald <kevinkis@aol.com> wrote:

Dear Members of the Board of Finance;

Regarding the special appropriation for an additional \$425,000 to demo Litchfield Hall which you are scheduled to review this evening, I believe that Newtown and its taxpayers would benefit by waiting before approving the additional expense. I personally support having a Community Center at Fairfield Hills. However, my reasons for wanting to wait before approving another \$425,000 for the demo are as follows:

1. The purpose of the demo of Litchfield Hall was to make room for the Community Center, yet we now know that the Community Center may be located elsewhere on the campus. Therefore, demolishing Litchfield Hall may not be necessary at this time.
2. The added \$425,000 added expense for demolition has not been approved by the taxpayers and even though it meets the

requirements of the Charter, I am concerned that this fast-moving special appropriation will appear as yet another attempt by the town to circumvent taxpayer review of the expense and the overall purpose at a time when so much has changed regarding the Community Center project.

3. Putting off the demolition will mean taxpayers can avoid spending about \$1,000,000 (not sure what the total demo cost is) at a time when, as many have communicated to me, they can least afford it.
4. The FFH Review Committee has not completed its work, which will likely include the Community Center project and the possibility that it may instead be installed in half of the NYA building.
5. As an elected official, and speaking for myself, I will be requesting of the Legislative Council Chair tonight more time before approving additional funding so that I and any other interested Council members can better understand the overall Community Center project and the potential impact that the NYA may have on its location. If the location of the Community Center is in question, we should stop any and all spending on the project.

Thank you,

Kevin Fitzgerald

Kortze, John

From: Kevin Fitzgerald [kevinkis@aol.com]
Sent: Wednesday, December 15, 2010 2:33 PM
To: mjacob4404@charter.net
Cc: harrison.waterbury@sbcglobal.net; okjt@aol.com; jkearney19@aol.com; Kortze, John; mjglaw@aol.com; mike@trustadvisors.net; pomurray@charter.net; susan.marcinek@newtown-ct.gov; ann.benore@newtown-ct.gov; bozemanb@newtown.k12.ct.us; bspragg9274@charter.net; William.Furrier@unilever.com; rmerola@sbcglobal.net; bw.reloconsult@snet.net; clagana36@gmail.com; amaralpoggy@aol.com; dgrogins@cohenandwolf.com; nanavaty@sbcglobal.net; debbieleidlein@gmail.com; debbie.aurelia@newtown-ct.gov; robinsonj@newtown.k12.ct.us; ransommclure@yahoo.com; fpennarola212@earthlink.net; fred.hurley@newtown-ct.gov; gbdavis88@charter.net; george@fergusondevelopmentgroup.com; jbeldenpootatuck@yahoo.com; janandras@yahoo.com; jbrookes222@yahoo.com; jeff@thecapecis.com; Kfetchick@charter.net; junek@newtown.k12.ct.us; bittmanboe@aol.com; lzukauskas@ctvoices.com; pat.llodra@newtown-ct.gov; renee.weimann@newtown-ct.gov; r.gaines.boe@charter.net; rdwoycik@sbcglobal.net; robert.tait@newtown-ct.gov; bienkowskir@newtown.k12.ct.us; sugrbrk@aol.com; whartboe@gmail.com
Subject: Re: Five reasons to wait before spending another \$425,000 for Litchfield Hall demo

Mary Ann, I'm not able to attend the Board of Finance Meeting tonight as the LC Finance Committee has a meeting at the same time in Conf Rm 3. So I wanted to share my thoughts with the BOF using the appropriate process. This assumes of course that demo is not so far along that we can't close it up, or revisit additional cost, etc. But yes, I know we will discuss it further in the LC meeting. See you tonight.

Kevin

-----Original Message-----

From: Mary Ann Jacob <mjacob4404@charter.net>
To: Kevin Fitzgerald <kevinkis@aol.com>
Cc: harrison.waterbury@sbcglobal.net <harrison.waterbury@sbcglobal.net>; okjt@aol.com <okjt@aol.com>; jkearney19@aol.com <jkearney19@aol.com>; john.kortze@wellsfargoadvisors.com <john.kortze@wellsfargoadvisors.com>; mjglaw@aol.com <mjglaw@aol.com>; mike@trustadvisors.net <mike@trustadvisors.net>; pomurray@charter.net <pomurray@charter.net>; susan.marcinek@newtown-ct.gov <susan.marcinek@newtown-ct.gov>; ann.benore@newtown-ct.gov <ann.benore@newtown-ct.gov>; bozemanb@newtown.k12.ct.us <bozemanb@newtown.k12.ct.us>; bspragg9274@charter.net <bspragg9274@charter.net>; William.Furrier@unilever.com <William.Furrier@unilever.com>; rmerola@sbcglobal.net <rmerola@sbcglobal.net>; bw.reloconsult@snet.net <bw.reloconsult@snet.net>; clagana36@gmail.com <clagana36@gmail.com>; amaralpoggy@aol.com <amaralpoggy@aol.com>; dgrogins@cohenandwolf.com <dgrogins@cohenandwolf.com>; nanavaty@sbcglobal.net <nanavaty@sbcglobal.net>; debbieleidlein@gmail.com <debbieleidlein@gmail.com>; debbie.aurelia@newtown-ct.gov <debbie.aurelia@newtown-ct.gov>; robinsonj@newtown.k12.ct.us <robinsonj@newtown.k12.ct.us>; ransommclure@yahoo.com <ransommclure@yahoo.com>; fpennarola212@earthlink.net <fpennarola212@earthlink.net>; fred.hurley@newtown-ct.gov <fred.hurley@newtown-ct.gov>; gbdavis88@charter.net <gbdavis88@charter.net>; george@fergusondevelopmentgroup.com <george@fergusondevelopmentgroup.com>; jbeldenpootatuck@yahoo.com <jbeldenpootatuck@yahoo.com>; janandras@yahoo.com <janandras@yahoo.com>; jbrookes222@yahoo.com <jbrookes222@yahoo.com>; jeff@thecapecis.com <jeff@thecapecis.com>; Kfetchick@charter.net <Kfetchick@charter.net>; junek@newtown.k12.ct.us <junek@newtown.k12.ct.us>; bittmanboe@aol.com <bittmanboe@aol.com>; lzukauskas@ctvoices.com <lzukauskas@ctvoices.com>; pat.llodra@newtown-ct.gov <pat.llodra@newtown-ct.gov>; renee.weimann@newtown-ct.gov <renee.weimann@newtown-ct.gov>; r.gaines.boe@charter.net <r.gaines.boe@charter.net>; rdwoycik@sbcglobal.net <rdwoycik@sbcglobal.net>; robert.tait@newtown-ct.gov

12/15/2010

<robert.tait@newtown-ct.gov>; bienkowskir@newtown.k12.ct.us <bienkowskir@newtown.k12.ct.us>;
sugbrk@aol.com <sugbrk@aol.com>; whartboe@gmail.com <whartboe@gmail.com>
Sent: Wed, Dec 15, 2010 12:52 pm
Subject: Re: Five reasons to wait before spending another \$425,000 for Litchfield Hall demo

Po, Bruce and Kevin,

Why the assumption that it will not go to a town meeting? Looking forward to having the appropriate process be discussed publicly.

Mary Ann

Sent from my iPhone

On Dec 15, 2010, at 9:52 AM, Kevin Fitzgerald <kevinkis@aol.com> wrote:

Dear Members of the Board of Finance;

Regarding the special appropriation for an additional \$425,000 to demo Litchfield Hall which you are scheduled to review this evening, I believe that Newtown and its taxpayers would benefit by waiting before approving the additional expense. I personally support having a Community Center at Fairfield Hills. However, my reasons for wanting to wait before approving another \$425,000 for the demo are as follows:

1. The purpose of the demo of Litchfield Hall was to make room for the Community Center, yet we now know that the Community Center may be located elsewhere on the campus. Therefore, demolishing Litchfield Hall may not be necessary at this time.
2. The added \$425,000 added expense for demolition has not been approved by the taxpayers and even though it meets the requirements of the Charter, I am concerned that this fast-moving special appropriation will appear as yet another attempt by the town to circumvent taxpayer review of the expense and the overall purpose at a time when so much has changed regarding the Community Center project.
3. Putting off the demolition will mean taxpayers can avoid spending about \$1,000,000 (not sure what the total demo cost is) at a time when, as many have communicated to me, they can least afford it.
4. The FFH Review Committee has not completed its work, which will likely include the Community Center project and the possibility that it may instead be installed in half of the NYA building.
5. As an elected official, and speaking for myself, I will be requesting of the Legislative Council Chair tonight more time before approving additional funding so that I and any other interested Council members can better understand the overall Community Center project and the potential impact that the NYA may have on its location. If the location of the Community Center is in question, we should stop any and all spending on the project.

Thank you,

Kevin Fitzgerald

Excerpt for Minutes of Board of Finance Meeting
December 15, 2010

A special meeting of the Board of Finance of the Town of Newtown was held in the Council Chamber of the Newtown Municipal Center on December 15, 2010, at 7:00 o'clock P.M. (E.S.T.).

* * *

Members present and absent were as follows:

<u>Present</u>	<u>Absent</u>
John Kortze	Joseph Kearney
James Gaston	Martin Gersten
Michael Portnoy	
Harrison Waterbury (via conference call)	

* * *

Mr. Gaston introduced and read the following resolution:

RESOLVED: That the resolution entitled "A Resolution Amending A Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park And Recreation Community Center/Senior Center And Authorizing The Issuance Of \$1,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation was requested in a letter dated December 14, 2010 from Robert G. Tait, Financial Director, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-30 (a), (b) & (c) of the Town Charter.

RESOLVED:

Section 1. Section 1 of the resolution entitled "Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park And Recreation Community Center/Senior Center And Authorizing The Issuance Of \$1,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" approved at a referendum voted held at an Adjourned Town Meeting on April 22, 2008 (the "Resolution"), is hereby amended by increasing the amount of the appropriation and bond authorization therein by \$425,000 from \$1,000,000 to \$1,425,000, thereby making said Section read as follows:

“Section 1. The sum of \$1,425,000 is appropriated for architect and engineering services and other necessary required costs for the planning and design of a park and recreation community/senior center to house, including, but not limited to, at least one gymnasium, several program rooms, senior center, parks and recreation offices, an indoor/outdoor pool (if outdoor, to be enclosed in the future), and for the demolition/abatement of buildings (to make room for the park and recreation community/senior center) in the Town of Newtown, Connecticut (the “Town”), and for administrative, printing, legal and financing costs related thereto (collectively, the “Project”), said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.”

Section 2. The first sentence of Section 2 of the Resolution is hereby amended by replacing the figure \$1,000,000 therein with the revised figure of \$1,425,000, thereby making said sentence read as follows:

Section 2. To meet said appropriation, \$1,425,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of the State of Connecticut, as amended from time to time (the “Connecticut General Statutes”).

Section 3. Section 5 of the Resolution shall be applicable to the appropriation and bond authorization added by this amendment, as of the date of the adoption of such amendment.

Mr. Gaston moved that said resolution be adopted as introduced and read and the motion was seconded by Mr. Portnoy. Upon roll call vote the ayes and nays were as follows:

AYES

James Gaston
Michael Portnoy
Harrison Waterbury
John Kortze

NAYS

Mr. Kortze thereupon declared the motion carried and the resolution adopted.

* * *

3 PRIMROSE STREET, MUNICIPAL CTR
NEWTOWN, CONNECTICUT 06470
TEL. (203) 270-4223
www.newtown-ct.gov



ROBERT G. TAIT
FINANCE DIRECTOR

TOWN OF NEWTOWN
OFFICE OF THE FINANCE DIRECTOR

December 14, 2010

Mr. John Kortze, Chair
Board of Finance

Dear John,

I'm requesting a special appropriation of \$425,000 to be financed by the issuance of bonds. This request represents an amendment to a special appropriation, approved at a referendum vote held at an Adjourned Town Meeting on April 22, 2008, appropriating \$1,000,000 for architectural and engineering services for the planning and design of a park and recreation community/senior center.

This request will not increase the CIP future debt service estimate used in the most recent CIP process. This amount will be offset by anticipated savings in other approved capital projects (bridge replacement and middle school roof).

The additional amount is needed for this project mainly because of required additional remediation regarding the demolition of Litchfield Hall and Yale Hale.

I'm asking the Board of Finance to call a special meeting at 7:00 on December 15, 2010 and put this on the agenda. An impact statement (per Town Charter 6-100) is attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Tait", is written over a light blue horizontal line.

Robert G. Tait
Finance Director

Cc: BOS; LC

COMMUNITY CENTER/ DEMO PROJECT SUMMARY

Att. D

Expenditures
To Date

Community Center Design (Ames & Whitaker / O & G)	289,711
Litchfield/Yale Building Demolition:	
Cherry Hill	299,754
O & G (project manager)	104,207
TRC (project monitoring)	54,701
R.W. Bartley & Associates (environmental consultant)	24,421
Lawyer Fees	22,037
Miscellaneous Costs	4,104
	<u>798,935</u>

Estimated
Amount to
Finish

Amount left on Cherry Hill contract	312,247
CO's for Yale building add'l contamination	33,502
Contract change work to be performed by AAIS	174,431
O & G (project manager)	17,133
O & G (project manager) - two months of add'l GC	39,000
TRC (project monitoring)	50,170
R.W. Bartley & Associates (environmental consultant)	6,600
Estimated credits due	(39,144)
Contingency	7,126
	<u>601,065</u>

TOTAL PROJECT COST 1,400,000

Additional Appropriation Needed 400,000

Justification:

Additional remediation discovered not in contract	265,000
Lawyer fees due to first bid attempt	22,000
Project cost under estimation	113,000
	<u>400,000</u>

COMMUNITY CENTER/DEMO PROJECT DETAIL

<u>EFF DATE</u>	<u>SRC</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>VDR NAME/ITEM DESC</u>	<u>COMMENTS</u>
REVENUES:						
6/25/2008	BUC	bond auth	1,000,000			council authorized 6/5/2008
EXPENDITURES TO DATE:						
11/2/2009	API	W 110509	226	62782	BEE PUBLISHING CO	LITCHFIELD
6/30/2010	API	W 063010D	155,164	67113	CHERRY HILL CONSTRUCTION	FFH (LITCHFIELD/YALE BLDG
9/8/2010	API	W090910	131,290	67459	CHERRY HILL CONSTRUCTION	FFH (LITCHFIELD/YALE BLDG
11/10/2010	API	W 111810	13,300	68662	CHERRY HILL CONSTRUCTION	FFH-LITCHFIELD/YALE BLDG
5/14/2010	API	W 052010	1,636	65659	HARTFORD COURANT	LEGAL ADS
9/14/2009	API	W 092409	1,221	62093	NEWS TIMES	8/28 DEMO/ASB. BID AD
5/14/2010	API	W 052010	1,124	65694	NEWS TIMES	PUBLIC NOTICES
9/21/2009	API	CK 23	73,000	237	O & G INDUSTRIES INC.	FFH-COMMUNITY CTR
9/23/2009	API	W 092409	16,000	62105	O & G INDUSTRIES INC.	COMMUNITY CTR
11/1/2009	API	W 110509	12,500	62885	O & G INDUSTRIES INC.	FFH (COMMUNITY CTR)
11/1/2009	API	W 110509	14,500	62886	O & G INDUSTRIES INC.	FFH (COMMUNITY CTR)
12/11/2009	API	W 121709	12,500	63527	O & G INDUSTRIES INC.	FFH (COMMUNITY CTR)
12/22/2009	API	W 123009	3,824	63712	O & G INDUSTRIES INC.	FFH (COMMUNITY CTR)
2/4/2010	API	W 021110	1,000	64292	O & G INDUSTRIES INC.	FFH-COMMUNITY CTR
2/19/2010	API	W 022510	33,592	64514	O & G INDUSTRIES INC.	FFH-COMM. CTR
3/15/2010	API	CK 104	52,775	1040	O & G INDUSTRIES INC.	FFH-COMM. CTR (P&R)
5/3/2010	API	W 050610	34,265	65509	O & G INDUSTRIES INC.	FFH-COMM.CTR
8/3/2010	API	W 081210	52,904	67051	O & G INDUSTRIES INC.	FFH (LITCHFIELD/YALE BLDG
9/8/2010	API	W090910	19,508	67545	O & G INDUSTRIES INC.	FFH (LITCHFIELD/YALE BLDG
10/5/2010	API	W100710	26,000	68002	O & G INDUSTRIES INC.	FFH (COMMUNITY CTR)
11/1/2010	API	W 110410	5,726	68475	O & G INDUSTRIES INC.	FFH-LITCHFIELD/YALE BLDG
11/1/2010	API	W 110410	26,068	68475	O & G INDUSTRIES INC.	FFH-LITCHFIELD/YALE BLDG
10/5/2010	API	W100710	9,755	67908	AMES & WHITAKER	FFH (COMMUNITY CTR)
11/2/2009	API	W 110509	1,948	62896	R. W. BARTLEY & ASSOCIATE	FFH (LITCHFIELD BLDG)
4/5/2010	API	W 040810	841	65104	R. W. BARTLEY & ASSOCIATE	FFH (LITCHFIELD)
5/3/2010	API	W 050610	353	65528	RIDGWAY'S	FFH (LITCHFIELD)
6/30/2010	API	W 063010D	10,976	67139	TRC	FFH-LITCHFIELD/YALE BLDGS
9/20/2010	API	W092310	17,797	67802	TRC	FFH-LITCHFIELD/YALE BLDGS
11/10/2010	API	W 111810	21,765	68766	TRC	FFH-LITCHFIELD/YALE BLDG
6/30/2009	GEN	RECLASSIF [^]	21,633			BARTLEY
12/22/2009	GEN	RECLASS	1,358			11/17 STANDARD DEMO CASE
12/22/2009	GEN	RECLASS	20,679			12/16 STANDARD DEMO CASE
2/23/2010	GEN	RECLASSIF [^]	4,164			TRC
7/15/2010	GEN	RECEIPTS	(453)			
			<u>798,935</u>			

Litchfield Building Estimated Change Cost Summary 11/18/10

"Draft"

	AIS Change Condition Proposed Costs	Notes
A. Subcontract Direct Change Costs (Estimate)		
Balance of contract work:		
Demolition and removal of Building -		
Balance of Cherry Hill contract(\$310,000)		
Contract change work performed by AIS:		
Asbestos Abatement of Transit Ceilings w/ containment	\$ 12,350.00	
Asbestos Abatement of lead/caulk at coping stones	\$ 21,500.00	
Demo facade of Bldg. & segregate into hot and non acrn./remove hot slab edges at 1st & 2nd floors	\$ 135,500.00	
Subtotal:	\$ 189,350.00	
Labor & Performance Bond at 3%	\$ 5,080.50	
Estimated Subtotal: Chg work by AIS	\$ 174,430.50	
B. Design Team Chg Costs		
a. R.W Bartley	\$ 6,597.33	Notes Cost through mid October
b. TRC	\$ 50,169.60	Add time including 30 days for change work.
Estimate - Subtotal	\$ 56,766.93	
C. O&G Chg Costs/Additional GC's)		
a O&G (2 months of additional GC's)	\$ 39,000.00	Notes
Estimate - Subtotal	\$ 39,000.00	
D. Direct Cost Summary		
A Subcontract Change Costs	\$ 174,430.50	Notes AIS Chg Costs
B. R.W Bartley /TRC	\$ 56,766.93	
C. O&G (2 months of additional GC's)	\$ 39,000.00	estimated
Subtotal Estimate	\$ 270,197.43	
E. Litchfield Building - Potential Credits from CHC		
a. Removal of Stockpile Soil (Owner will remove pile)	\$ (18,000.00)	Notes Town to take back of Alt #1 confirmed w/CHC
b. Litchfield/Yale Backfill - F&I by Owner	\$ (20,000.00)	
c. Brick/Concrete C&D Credit(190 cys)	\$ (1,144.00)	
d. Razing of building by others	IN E.C. above	
Estimate Credits - Subtotal	\$ (39,144.00)	
Estimate Change Cost Total for Windows, Transits & Coping	\$ 231,053.43	
Add: CO #1 - Window head & sills at Yale Building	\$ 21,460.00	
T&M work estimated for Yale Brick sheet contamination	\$ 12,042.00	
Total added funds needed to complete contract w/o contingency	\$ 264,555.43	

TIME LINE FOR “ARCHITECTURAL & ENGINEERING SERVICES FOR THE PLANNING & DESIGN OF A PARK & RECREATION COMMUNITY CENTER/SENIOR CENTER” (\$1,000,000)

- 12/4/2004 Legislative Council approves CIP. P & R recreation center design (\$200,000) is in the second year (2006/2007); P & R center – FFH (\$2,400,000) is in the third year (2007/2008).
- 1/18/2006 Legislative Council approves CIP. P & R recreation center is not on the CIP (in any year presented).
- 8/7/2006 At a Board of Selectmen meeting, regarding the capital improvement plan, Parks & Recreation presents their capital requests. “...in 2007/2008, they are also requesting \$500,000 for design and engineering for a recreation/community center/pool, then in 2008/2009, there is a request for \$5 million for Phase I of construction”....
- 1/17/2007 Legislative Council approves CIP. Included in 2007/2008 was \$600,000 for Parks & Recreation/Community Center/Senior Center/Pool Design. In 2008/2009 was \$6,200,000 for Construction. The \$600,000 was a result of combing the design of a P & R recreation center with the design of a senior center expansion. The \$6,200,000 the result of combining the P & R and Senior Center projects into one.
- 1/7/2008 At a Board of Selectmen meeting an appropriation for \$600,000 for planning and design of Park & Recreation Community Center/Senior Center was amended by \$400,000 for the demolition of Litchfield Hall. A total of \$1,000,000 was approved.
- 3/3/2008 At a Board of Selectmen meeting “...Mr. Borst said that O & G advised him that the cost to demolish Litchfield Hall will be \$452,000 without any management services. A resolution appropriating \$1,000,000 for architectural and engineering services for the planning and design of a park & recreation community center/senior center and authorizing the issuance of \$1,000,000 bonds...this was amended to delete”demolition of Litchfield Hall” and insert “demolition of buildings”
- 3/10/2008 At a Board of Finance meeting the resolution appropriating \$1,000,000 (above) was approved.
- 3/19/2008 At a Legislative Council meeting the resolution appropriating \$1,000,000 (above) was approved.
- 7/24/2008 RFP’s received for architect.
- 8/18/2008 At a Board of Selectmen meeting the resolution appropriating \$1,000,000 (above) was approved.
- 6/15/2009 First architect invoice received for design work on recreation/senior building.
- 8/25/2009 Task Order # 4 signed giving O & G project management and administration for the demolition (and Abatement) project.
- 9/28/2009 First bid opening on the demolition portion. This bid was disputed and thrown out.
- 5/4/2010 Second bid opening. Bid was successfully awarded.
- May 2010 Started demolition
- August 2010 Stopped demolition work due to finding.

BOARD OF SELECTMEN 8/7/2006 (partial minutes)

Capital Improvement Plan

Mr. Ed Marks, Acting Chairman of the Parks & Recreation Commission was present to discuss the various requests for recreational needs. For 2007/2008, they are requesting \$225,000 for design and engineering to renovate the existing maintenance facility at Fairfield Hills and then in 2008/2009, a request for \$1.4 million for renovations and a new roof on that facility. This building is being used by both Parks & Recreation maintenance employees and the Board of Education so the costs would be divided. First Selectman Rosenthal questioned the \$800,000 cost for roof replacement and asked for more back-up information.

In 2007/2008, they are also requesting \$500,000 for design and engineering for a recreation/community center/pool, then in 2008/2009, there is a request for \$5 million for Phase I of construction. The need for swimming facilities has increased since the closing of the pool/pond at Dickinson Park. Selectman Brimmer asked if we can only allow town residents to purchase passes for the pool at Treadwell and was advised that it has to be open to non-residents as well since state funds were used to build the pool.

First Selectman Rosenthal advised that he is discussing with Parks & Recreation the possibility of improving the parking at Eichlers Cove Marina in order to make more room for a beach to allow for lake swimming.

LEGISLATIVE COUNCIL 1/17/2007 (partial minutes)

Capital Improvement Plan (CIP).

Mr. Holian said that the Legislative Council may accept the plan in total, reject or reduce any item or reduce an item in priority. If the Legislative Council takes action, it must be within sixty days of receipt or by February 19, 2007. Any new increase or reduction must be referred back to the Board of Finance. Mr. Holian said that the Board of Selectmen would like the approved CIP before their budget hearings next week. Mr. Rosenthal said that if the budget is not completed next week, it will be finalized by the Board of Selectmen on February 5 and that the budget must go to the Board of Finance by February 14.

Mr. Borst moved that the Board of Finance 2007-2008 through 2111-2112 Capital Improvement Plan be approved. Second by Mr. DiCandido. Mr. Borst asked about the possibility of moving the recreation center, community center, senior center and pool design to the Fairfield Hills bond issue as suggested by Mr. Davis. Mr. Rosenthal said he consulted with our bond counsel and town attorney and that their opinion was that these items were not authorized as part of this and that funds would have to be appropriated to go forward. He said that the Board of Selectmen would stop the spending of the \$6 million not yet bonded for if so directed by the Legislative Council but it would be at some expense. The other \$15 million already bonded cannot be redirected under state statutes.

Mr. Holian called a recess at 9:10 p.m. The meeting reconvened at 9:20 p.m.

Mr. Rosenthal said that the current CIP lists a senior center and recreation center. The Parks and Recreation Commission and the Commission on Aging are meeting to discuss the feasibility of a shared building which could cost less than two buildings.

Mr. Pennarola moved the question. Second by Mr. Brown and unanimously carried.

Motion carried. 9 YES (Timothy Holian, Daniel Amaral, David Brown, Jeffrey Capeci, Joseph DiCandido, Stacie Doyle, Michael Iassogna, Patricia Llodra, Francis Pennarola). 2 NO (Joseph Borst, Keith Jacobs.)

BOARD OF SELECTMEN 1/7/2008 (partial minutes)

Appropriation - \$600,000 for Architectural and Engineering Services for Planning and Design of Park & Recreation Community Center/Senior Center

Selectman Mangiafico moved a special appropriation in the amount of \$600,000 for architectural and engineering services for planning and design of a Park & Recreation Community Center/Senior Center, to be funded by bonding. Motion seconded for discussion.

Assistant Director of Parks & Recreation Carl Samuelson was present, along with Parks & Recreation Commission member Ms. P.J. Yoakum. Selectman Rosenthal asked if we know yet what we are designing – has the Commission on Aging and Parks & Recreation Commission decided? Mr. Samuelson advised that there have been some discussions with the seniors and also with the Cultural Arts Commission. The money being requested is for architectural services. We have put together the current square footage of the existing recreation programs and met with the seniors and know their square footage needs and concerns regarding operating services. We need funding to move forward so we can get a better grasp of what we will be designing. There have been preliminary discussions with O&G Industries regarding possibly phasing the project. We could start with Parks & Recreation and then integrate the seniors. Selectman Rosenthal reminded that this bonding will require the approval of the Board of Finance, the Legislative Council and the Town Meeting. We will need some significant detail to go through those steps. This would also require demolition of Litchfield Hall, which would require probably \$400,000 which is the cost of the previous demolition that was done. P&Z Chairman Lilla Dean suggested that a conceptual plan for the P&Z Commission would save time and be very helpful. They could then have Land Use staff look at this and possibly save making costly mistakes.

Selectman Mangiafico moved to amend the motion by adding \$400,000 for demolition of Litchfield Hall. Motion seconded and unanimously carried.

MAIN MOTION UNANIMOUSLY CARRIED AS AMENDED.

BOARD OF FINANCE - SPECIAL MEETING 3/3/2008 (partial minutes)

FINANCE DIRECTOR REPORT: Mr. Spragg was not present.

Information was received from Mr. Spragg that if the Park & Recreation/Senior Center project is resurrected at \$1,000,000 and if the anticipated interest rate for the December 2008 borrowing is lowered to 4%, the debt service could increase by \$13,912.00 (Attachment B to original minutes).

BOARD OF SELECTMEN 3/3/2008 (partial minutes)

Architectural & Engineering Services of Planning & Design for a Park & Recreation Community Center/Senior Center.

Mr. Borst explained that \$600,000 in the 2007-08 budget will be carried forward to 2008-09 for architectural and engineering services for design of the Park&Recreation/Senior Center Building. The seniors agreed to go forward with the design phase. Board of Finance Chairman John Kortze said this will have very little impact on the debt service in 2008-09. Mr. Borst said that O&G advised him that the cost to demolish Litchfield Hall will be \$452,000 without any management services. Mr. Spragg said that to add \$1 million of borrowing costs to next year's budget would increase debt service by just under \$14,000. He said that there could be a special appropriation for construction in 2009-10. Mr. Mangiafico was advised by Walt Motyka of the Fairfield Hills Authority that the storage building on Trades Lane could be completely renovated for a new senior center for \$1 million so why spend \$6.5 million on a new building. Where did the idea come from that we will proceed?

Mr. Marks said that Parks and Recreation (P&R) has been actively pursuing a recreation facility and was asked to consider a facility with other groups. Mrs. Place, Senior Center Director and Mrs. Kasbarian worked out a plan for a joint building. After we moved forward a number of seniors who never voiced an opinion in the process said they wanted a separate building. We met again with the seniors and the Commission on Aging and the Commission on Aging voted to move forward with the design phase and the seniors were prepared to move forward. Mr. Marks said that P&R looked at the building on Trades Lane years ago and concluded that it was not suitable. Our proposed building will have access to things that will be available at the Newtown Youth Academy, such as a gym, track and pool. None of these would be in the building on Trades Lane and seniors would have to go by car or bus to get to them. The building on Trades Lane is narrow and low and some equipment could only be accessed by moving other equipment. The proposed new building would be 15,000 s.f. for P&R, 15,000 for the Senior Center and a pool when it is built would be 30,000 s.f. Mr. Mangiafico asked if the building will cost \$6.2 million; Mrs. Kasbarian said that will not be known until an architect is hired but that an architect said that was in the ballpark.

Mr. Rosenthal said that years ago there was \$7 million in the CIP (\$1.2 million for the Senior Center, \$2.3 million for the Recreation Center and \$3.5 million for Dickinson Park.) Dickinson Park was not going forward. The Board of Selectmen then combined these and reduced them to \$6.2 million and suggested a joint building.

Mr. Rodgers said that Legislative Council members are under the impression that the \$1 million was deleted from the upcoming CIP and would need to be restored at the Council meeting on March 5. Now he is hearing that this is not the case. Mr. Rosenthal said that this was never in the upcoming CIP. He said that the \$3.1 million and \$1 million were withdrawn and that the Board of Selectmen can restore the \$600,000 through the special appropriation process. Mr. Spragg said that because we are already in March, that this probably could not be done this year. Mr. Spragg said that he will not be doing any further borrowing until next year.

Ms. Yoakum would like to see the First Selectman recommend an appropriation for the \$600,000 for this year.

Selectman Rosenthal moved a Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park and Recreation Community Center/Senior Center And Authorizing The Issuance Of \$1,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. Second by Selectman Borst. Mr. Mangiafico is opposed to the motion because he is not convinced that \$6.2 million is a legitimate number; also in view of the furor with the seniors about not wanting to share a facility, there is no senior here to speak in behalf of the building and if they back out of the building, we could have a 30,000 s.f. building without one of the tenants. He is also not convinced that we did due diligence with the storage building and he was told that using this building for this purpose was a done deal with the State legislature. The building would be 8,000 s.f. on each of two floors with an elevator; the present Senior Center is only 2,000 s.f. Mr. Rosenthal said that the building was never abated and has lead and asbestos. He said that the elevator is a freight elevator, the parking area is small and the building is adjacent to a power plant whose future is unknown. He has a hard time believing that this building could be renovated for \$1 million. Mr. Mangiafico added that there is a severe financial problem in this Town and the debt service is increasing 16% year over year. Mr. Rosenthal offered to withdraw his motion until we have more information. Mr. Mangiafico would like a study on this building and the costs and options. Mr. Rosenthal noted that a grant will be coming in for Litchfield Halls and other buildings and that we could study other buildings to see if one would be more suitable. He said that perhaps part of the \$600,000 could be spent on a study.

Mr. Marks said that he has heard nothing about servicing the seniors' needs, only about putting them in a box by putting them in this building. You seem to be forgetting about putting them where the action is. Five years ago we talked about Kent House, but this was dropped because the Board of Ed was not interested. The Seniors, Parks and Recreation and teens deserve the same consideration that the Board of Ed had with Kent House. If a decision is based strictly on dollars and cents, the seniors might as well stay where they are. Ms. Yoakum said that she would not want to be there. There is nothing there for the youth and seniors.

Mr. Rodgers feels that P&R and the Commission on Aging have done a good job working together for a joint building. He said that we are talking about closely examining this building but we have a \$40 million school project that was not so closely examined.

Mr. Borst said that the building on Trades Lane is a warehouse and could probably be better used by the schools and Highway for storage. There is a lot of asbestos and freezers and boilers that would have to be removed. He feels that we should proceed with this resolution.

Mr. Rosenthal amended the resolution to delete "demolition of Litchfield Hall" and insert "demolition of buildings." Second by Mr. Borst.

Vote on main motion 2 YES (Borst, Rosenthal), 1 NO (Mangiafico).

BOF 3/10/2008 (partial minutes)

Resolution appropriating Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park and Recreation Community Center/Senior Center.

Mr. Gaston moved to waive the reading of the entire resolution. Second by Mr. Gersten and unanimously carried.

Mr. Gersten moved Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park and Recreation Community Center/Senior Center And Authorizing The Issuance Of \$1,000,000 Bonds Of The

Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. Second by Mr. Gaston. Motion unanimously carried by roll call vote. 5 YES (Gersten, Kearney, Portnoy, Gaston, Kortze).

LEGISLATIVE COUNCIL 3/19/2008(partial minutes)

Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park and Recreation Community Center/Senior Center And Authorizing The Issuance Of \$1,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Mr. Pennarola moved Resolution Appropriating \$1,000,000 For Architectural And Engineering Services For The Planning And Design Of A Park and Recreation Community Center/Senior Center And Authorizing The Issuance Of \$1,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. He also moved to waive the reading of the entire resolution. Second by Mr. Capeci. Mr. Pennarola noted that while it is not in the body of the resolution, it is his expectation that \$600,000 will be for architectural fees and \$400,000 for demolition. Mr. Rodgers noted that "demolition of buildings" was substituted for "demolition of Litchfield Hall" by the Board of Selectmen. Mr. Aurelia said that he understands that the \$600,000 for architectural fees is about 10% of the total cost which is the same percentage as the architectural fees for the High School project. Ms. Murray said that her intent in moving to reduce the amount to \$100,000 was to use a small amount to initiate a schematic design because we have not vetted project as we did the High School. Mr. Davis asked why are we doing this now? Mr. Rodgers said that it is the hope of the Board of Finance that since there are several items on the referendum to appeal to votes, hopefully this will stop the cycle of the defeat of the first operating budget. As to whether there is money in the original bonding resolution for demolition, Mr. Rodgers feels that part of what Mr. Rosenthal and Mr. Geckle were thinking was that state grant monies would be available. Ms. Murray feels that this resolution should not be acted on before the High School is addressed and can lease money be used for this? Mr. Rodgers said that the lease money is not available for demolition but for infrastructure loop improvements. Mr. Davis and Ms. Murray feel that more specific numbers are needed. Mr. DiCandido would like to see separation of costs; he is in favor of the resolution but agrees that it should not be voted on before the High School resolution. Mr. Rodgers reminded that we did not stall the High School resolution. Also we took this item off the CIP and told the parties to work together, which they have done. Mrs. Llodra said that not acting would smack of duplicity.

Mr. Davis moved to amend the motion to delete after and demolition " of buildings" and to insert "of Litchfield Hall". Second by Mr. Aurelia. Mr. Rodgers noted that two buildings must be demolished to build the Recreation Community Center/Senior Center and the change was made so that both buildings might be demolished if funds permit. Ms. Murray said it is a problem that two projects are lumped together as one. After more discussion, Mr. Davis withdrew his amendment and Mr. Aurelia withdrew his second.

Roll call on the main motion: 11 YES (Pennarola, Amaral, Aurelia, Brookes, Capeci, Davis, DiCandido, Hemingway, Llodra, Lyddy, Rodgers) 1 NO (Murray).

BOARD OF SELECTMEN 8/18/2008 (partial minutes)

UNFINISHED BUSINESS:

I. Selectman Rosenthal moved that the RESOLUTION APPROPRIATING \$1,000,000 FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE PLANNING AND DESIGN OF A PARK AND RECREATION COMMUNITY CENTER/SENIOR CENTER AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE. Mr. Rosenthal moved to waive the reading of the entire resolution. Seconded by Selectman Mangiafico. All were in favor.

Mr. Rosenthal noted the voters overwhelmingly approved this in April and it would be out of line for the Board not to support this.

Task Order No. 4
Project Management Agreement
Fairfield Hills Development Project

This **Task Order No. 4** is made as of this 25th day of August, 2009 under the terms and conditions established in the **Project Management Agreement for the Fairfield Hills Development Project between the Town of Newtown (Town) and the O&G Industries, Inc. (Project Manager)** dated May 20, 2005, and shall constitute an amendment to such Agreement. This Task Order is issued for the following purpose, consistent with the Services defined in the Agreement.

The purpose of this Task Order is to provide all necessary services for certain project management and administration as delineated in the following Scope of Services, including, but not limited to, those services relating to the implementation of the demolition and abatement activities at Litchfield Hall.

Section A – Scope of Services

A.1. The Project Manager shall perform all services (Services) required pursuant to the attached **Exhibit A**, which further delineates the Project activities included within this Task Order.

A.2. The following Services are not included in this Task Order, but shall be provided as Additional Services if approved in writing by the Owner: NONE

A.3. In conjunction with the performance of the foregoing services, the Project Manager shall provide the submittals/deliverables (“Deliverables”) noted in Exhibit A to the Town.

Section B – Task Schedule

B.1. The Project Manager shall perform the Services and deliver the required deliverables during the period between August 1, 2009 and December 31, 2009 pursuant to, and subject to, an itemized schedule of activities to be developed in a timely fashion by the Project Manager and approved by the Town and incorporated herein as **Exhibit B** dated August 11, 2009. The Schedule represents an estimate of the time period necessary to perform the Services included in the subject Task. The Schedule in some cases may be based upon activities to be performed by others or based upon projections made by others. The Project Manager uses its best efforts to project ranges of time periods for each activity.

Section C – Compensation

C.1. In return for the performance of the Services under this Task Order, the Owner shall pay the Project Manager compensation in an amount not to exceed \$110,149.00, pursuant to the Fee and Reimbursable Schedule dated August 11, 2009 incorporated herein as **Exhibit C**.

C.2. In the event the Town subsequently authorizes the Project Manager to directly employ consultant services associated with this Task and Scope of Services hereunder, the Project Manager will be allowed to charge an additional administration charge equaling ten percent (10%) of the cost of such consultant services. All costs associated with employment of such consultant services are not be included in the amount noted in C.1. above.

C.3. Compensation for the Services contemplated herein, and any Additional Services requested under this Task Order, if any, shall be paid by the Town to the Project Manager according to the terms of the Agreement.

Section D – Town’s Responsibilities

D.1. The Town shall perform and/or provide the following in a timely manner so as not to delay the performance or completion of the Services by the Project Manager. Unless otherwise provided in this Task Order, the Town shall bear all costs incident to compliance with the following:

- a. The Town will provide access to 1.) the Project Area, including land, buildings and other improvements to the Town and 2.) all reports, plans, information and public records related to the Project and/or Project Area.
- b. The Town will direct its employees and consultants to cooperate in good faith with the Project Manager, and to provide assistance to the Project Manager, when necessary and requested.
- c. The Town will name and direct the appropriate individual and/or committee/commission/authority to review, approve and authorize in a timely fashion the necessary actions on behalf of the Town associated with the planning and implementation of the included Project activities.
- d. The Town will contract for all services and work relating to the demolition and abatement activities to be performed by others and procured through the procedures established by the Town of Newtown

Except to the extent modified herein, all terms and conditions of the Agreement shall continue to be in full force and effect.

Town:

By: Joseph J. Borst
Name:

Title: 1st Selectman

As a duly authorized by
The Town of Newtown

Date:

Project Manager:

By: Arnold Mednick
Name:

Title: vice president

As duly authorized by
O&G Industries, Inc.

Date: 8/25/09

EXHIBIT A

SCOPE OF WORK

The Project Manager will perform the following services under Task Order #4 regarding Litchfield Hall Demolition and Abatement.

- Preparation of the Bid Requirements documents
- Integration of these documents with the Technical Specifications and drawings prepared by R. W. Bartley/TRC.
- Management of the bidding process.
- Review of the bids and recommendation to the Town for contract award
- Review construction contract for the Town
- Work with the environmental engineers chosen by the Town to manage the hazardous material abatement in light of the contract documents and applicable regulations
- Oversee demolition of the building and site utilities along with the backfilling of the site to proper elevations.
- Coordinate Project closeout.



11 Aug-09 Report Date
 01 Aug-09 Start Precon Services
 01-Oct-09 Construction Start

EXHIBIT B

Litchfield Hall Demolition - Newtown														
<i>O&G Industries, Staff Bar Chart</i>														
	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	Jan-10	Feb-10	Mar-10	Apr-10	Total Man Months (as a percentage)	Hours per Month	Staff Hourly Rate	Total Compensation	
PRECONSTRUCTION and CONSTRUCTION DURATIONS	1	2	3	4	5	6	7	8	9					
Preconstruction Phase														
Design, Estimating, Operations Planning										0				
Survey of Regulated materials										0				
Prepare Bid Documents	1													
Bid and Award		1												
Construction Phase			1	1	1					3				
Closeout					1					1				
PRECONSTRUCTION PHASE SERVICES														
Preconstruction Personnel														
Project Executive (Cugno)	10%									0.1	173.8	119	\$2,065	
Chief Estimator	0%									0.0	173.8	106	\$0	
Project Estimator	0%									0.0	173.8	72	\$0	
Precon Manager (Schilling)	40%									0.4	173.8	79	\$5,510	
												Subtotal	\$7,576	
Total Cost for Preconstruction Services												\$7,576		
CONSTRUCTION PHASE SERVICES														
Procurement Phase Personnel														
Project Executive (Cugno)	10%									0.1	173.8	119	\$2,065	
Chief Estimator	0%									0.0	173.8	106	\$0	
Procurement Manager (Schilling)	40%									0.4	173.8	79	\$5,510	
Administration	20%									0.2	173.8	45	\$1,564	
Other (NAME)										0.0	173.8	0	\$0	
												Subtotal	\$9,140	
Total Cost for Procurement & Preconstruction Services												\$16,716		
Total Bid for Procurement & Preconstruction Services												\$16,700		
Construction Phase Project Personnel														
Project Executive (Cugno)			0%	5%	5%					0.1	173.8	119	\$2,065	
Project Manager (Cross)			0%	50%	50%					1.0	173.8	93	\$16,163	
Project Superintendent (Roy)			0%	100%	100%					2.0	173.8	90	\$31,284	
Operations Manager (Brennan)			0%	0%	0%					0.0	173.8	121	\$0	
Safety Director (Hunter)			0%	10%	10%					0.2	173.8	63	\$2,190	
Financial Management (Robotham)			0%	10%	10%					0.2	173.8	56	\$1,947	
Total Construction Phase Project Personnel Costs												\$53,649		
Total Reimbursable Expenses (1)												\$11,050		
Total General Conditions Cost (excl. preconstruction & procurement services)												\$64,699		

Note: The first month of construction will be covered under the Town Hall

The Project Manager will be half time on this project. If the Owner requires that the Project Manager is full time, a Change Order for \$16,164.00 will be issued.

Litchfield Hall Demolition - Newtown
 Litchfield Hall Demolition - Newtown
 FEE AND REIMBURSABLE SCHEDULE

EXHIBIT C

Prepared by O&G Industries

August 11, 2009

CONSTRUCTION COST BUDGET: \$500,000

ESTIMATED CONSTRUCTION SCHEDULE: October 1, 2009 to December 31, 2009

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	MAT/EQPT	UNIT PRICE	LABOR	TOTAL
STAFF COST								
1	Project Executive (Cugno)	2 mo		0		1,033	2,065	2,065
2	Project Manager (Cross)	2 mo		0		8,082	16,163	16,163
3	Project Superintendent (Roy)	2 mo		0		15,638	31,284	31,284
4	Operations Manager (Brennan)	2 mo		0		0	0	0
5	Safety Director (Hunter)	2 mo		0		1,095	2,190	2,190
6	Financial Management (Robotham)	2 mo		0		973	1,947	1,947
TOTAL STAFFING								
\$3,649								
REIMBURSABLE COSTS - GENERAL CONDITIONS								
COMBINED OFFICE								
1	Setup jobsite offices	0 ls.		0		0	0	0
2	Jobsite Office rental	2 MO		1,700		3,400	0	3,400
3	Jobsite office furnishings & supplies	2 MO		450		900	0	900
4	Jobsite telephone	2 MO		200		400	0	400
5	Long distance calls	2 MO		450		900	0	900
6	Jobsite Fax Machine	2 MO		0		0	0	0
7	Computer Hardware and Software	2 MO		0		0	0	0
8	Computer Broadband Hookup	2 MO		0		0	0	0
9	Broadband Subscription (monthly)	2 MO		125		250	0	250
10	Computer Support	2 MO		300		600	0	600
11	Cell Phones, Walkie-talkie Radios	2 MO		90		180	0	180
12	Postage, Courier Service, Express Mail	2 MO		125		250	0	250
13	Jobsite copy machine & Fax	2 MO		835		1,670	0	1,670
14	First Aid Supplies	2 MO		500		1,000	0	1,000
15	Local Travel, excess 100m/day (for 1 PM & 1 Supr)	2 MO		0		0	0	0
16	Non Local Travel & Lodging	2 MO		0		0	0	0
17	Printing (addenda's and shop Dwg's.)	2 MO		500		1,000	0	1,000
18	Progress Photographs	2 MO		250		500	0	500
19	Insurance	0.75% %				3,750	0	3,750
20	BID PRINTING & ADVERTISING (BY OWNER)							
TOTAL REIMBURSABLES								
14,800								
TOTAL STAFFING & REIMBURSABLES								
68,450								
AS A PERCENT OF CONSTRUCTION COST								
13.69% LS								
PRE-CONSTRUCTION & PROCUREMENT FEE								
5.00%								
CONSTRUCTION FEE								
25,000								
BOND								
Excluded								
0								
TOTAL FEES AND REIMBURSABLES								
110,149								

Note: The first month of construction is covered under the Town Hall project. The Project Manager will be half time on this project. If the Owner requires that the Project Manager is full time, a Change Order for \$16,164.00 will be issued.

**TOWN OF NEWTOWN
FINANCIAL IMPACT STATEMENT
(Per Town Charter 6-100)**

REQUESTING DEPARTMENT FINANCE

PROJECT: PARKS & RECREATION COMMUNITY CENTER DESIGN / BLDG. DEMOLITION

PROPOSED SPECIAL APPROPRIATION AMOUNT: \$ 425,000.00

PROPOSED FUNDING:

BONDING	\$ 425,000.00
GRANT	
CONTINGENCY	
OTHER	
	<u>\$ 425,000.00</u>

ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):

List any financial impact your request will have on the Town's annual operating budget.
Attach spreadsheet(s) showing your calculation of the estimated impact.

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS		_____	_____
PROFESSIONAL SERVICES		_____	_____
CONTRACTED SERVICES		_____	_____
REPAIRS & MAINTENANCE		_____	_____
UTILITIES		_____	_____
OTHER		_____	_____
DEBT SERVICE (1st year)		\$ 36,000.00	_____
TOTAL IMPACT ON EXPENDITURES		<u>\$ 36,000.00</u>	_____

REVENUE CATEGORY:	POSITIVE IMPACT / (NEGATIVE IMPACT)	Attachment #
PROPERTY TAXES		_____
CHARGES FOR SERVICES (FEES)		_____
OTHER		_____
TOTAL IMPACT ON REVENUES	\$ -	_____

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ 36,000.00

EQUIVALENT MILL RATE OF TOTAL IMPACT 0.0094 mills

(using current year's information)

COMMENTS:

This 425,000 request is an amendment to the 1,000,000 already appropriated for the Parks & Recreation Community Center Design / Building Demolition project. Request is mainly due to unanticipated remediation findings. The impact of annual debt service charges will be off-set by anticipated savings in the middle school roof project. The amount that was projected in the CIP future debt service chart will not increase because of this request. In all likelihood it will be less because of savings in other projects.

PREPARED BY: ROBERT TAIT, FINANCE DIRECTOR DATE: 12/14/2010

TO: BOF, LC