

**DRAFT**

MINUTES OF THE APRIL 1, 2009 MEETING OF

THE NATHANIEL WITHERELL TOWN BUILDING COMMITTEE

The thirty-fifth meeting of the members of The Nathaniel Witherell Town Building Committee was held in the conference room at Nathaniel Witherell at 7:30 a.m. on April 1, 2009.

Present were:

Voting Members: Andy Fox, Paul Toretta, Jeremy Kaye, Leslie Tarkington, Christopher Lacey, Stephen Soler, Alfred DiSapio and Lloyd Bankson.

Non-voting Members: Jonathan Shankman, Thomas Saccardi. Lin Lavery and Frederic Brooks.

Guests: Ray Augustine, Jack Hornak, Ken Henderson, Lynn Bausch, Bruce Dixon, Scott Neff, Dr. Marilyn Ross Cahn, Chris Thurlow and Ashley DeMain.

Mr. Fox called the meeting to order. He asked whether the minutes of the March 4, 2009 meeting were reviewed by all and were approved. Upon a motion duly made and seconded the minutes were approved.

A draft of the March 18, 2009 Progress Report was distributed. Mr. Bankson agreed to check on the amount of bills paid to date before the Report is finalized. Mr. Brooks suggested that abbreviations be identified to assist readers of the Report to understand it better.

Mr. Fox advised that there is an April 9, 2009 meeting with the Architects to try to refine the two options which have been identified for moving forward so that the proposal for design can be circulated to staff, Committee Members and Board Members for review and comment. Comments will be due two weeks after the design is available. Mr. Toretta indicated that several other options had been considered for the project but that the potential proposed designs have been narrowed to two.

The person centered care model is resulting in units of 16 people. The basement and kitchen staff dining area will be used for patient space. Mr. Toretta stated that any new space to be constructed will be improve the efficiency and phasing of the project.

Mr. Fox indicated that an energy model will be prepared to analyze the systems. He stated that there could be as much as a 25% savings in energy once the project has been completed.

He went on to advise that there are bids out for three surveyors to provide services. Those surveyors are S. E. Minor & Co., Inc., Rocco V. D'Andrea, Inc. and Redniss & Mead. They have been provided a detailed spec.

Ms. Tarkington inquired whether the deferred maintenance items set forth in the Entech report would be addressed in the plans. Mr. Fox said that some of the items in the report have already been completed and some would not be necessary because of the work to be done. He went on to say that the needs of the building would be addressed.

Mr. Lacey reported that the Construction Manager's RFP would be issued either today or tomorrow.

A mandatory walkthrough of the building with the Construction Manager finalists is scheduled for April 25, 2009 at 11:00 a.m. The due date for proposals from the finalists is May 12, 2009.

Mr. Fox indicated that he would like interviews to be completed by May 21, 2009. He is hoping to give notice to the successful Construction Manager of their selection by May 27 2009 so that the Construction Manager can begin working on the Schematic Design Budget, which would hopefully be received by the end of June so that it will be available for the Committee to consider at its July 1, 2009 meeting. The Committee Members agreed to be available for interviews with the finalists for the Construction Manager position on May 21, 2009 from 3:00 p.m. until 7:00 p.m. or 8:00 p.m.

Ms. Tarkington requested clarification as to the services that the Construction Manager's contract would call for. Mr. Fox and Mr. Soler explained that the contract will be in two parts. There will be a preconstruction services portion and then a construction services portion. The construction services portion will require a guaranteed maximum price. The construction services portion of the contract will not commence until Addendum 1 to the contract authorizing construction and setting forth the guaranteed maximum price is completed. Mr. Toretta said that he thought that the Architect's contract should be a part of the Construction Manager's RFP. Mr. Lacey said that he would ask Mr. Latham to include that in the RFP package.

Mr. Fox then indicated that once the schematic design drawings are completed, until the Committee approves of the schematic design drawings and budget, the Architect will not be doing anything further, other than looking at interior finishes and furniture selections. The Architect will also be involved at that time in assisting the Construction Manager in answering questions to produce a draft budget.

Mr. Fox said that if the schematic design budget is within the target number, then the Committee should authorize the design development documents to be started. If all goes well, Mr. Fox anticipates being able to approach the RTM in December with a budget.

Mr. Bankson said that he will confirm that the bills presented to the Committee for payment were not previously paid. Mr. Toretta moved that the bills presented by

Pepe & Hazard, Curtis Brinckerhoff & Barrett and SLAM be paid, once Mr. Bankson has confirmed that they were not previously paid. Mr. Tarkington seconded the motion.

Discussion of the motion then ensued and Ms. Tarkington said that she feels that there was a high percentage of completion of the pre-design and programming, as well as the schematic design being billed for. Mr. Toretta indicated that he did not feel that they were aggressive in their billing.

A vote was then taken on the motion and except for Ms. Tarkington, who abstained, all other present voting Committee Members voted in favor of the motion.

Mr. Fox then reported that the Law Department has authorized the Committee to sign the engagement letter with Bruce Cohen. Mr. Fox and Mr. Toretta have signed the engagement letter.

Mr. Soler had a discussion concerning the potential of receiving tax credits for historical buildings. He has agreed to pursue the issue. It could take 9 months to one year to get the building designated by the Federal government as an historical building. This can happen concurrently with the plans for development. If the designation was granted and credits were granted, a partnership would have to be set up to take advantage of the tax credits. Mr. Soler gave an example of transferring ownership of the building to a 501(c)(3) entity while the Town retains ownership of the land.

Ms. Lavery said that the Committee should have a conversation with Congressman Himes' office to see if any stimulus funds are available for any parts of the project. Mr. Toretta said that he would work with Mr. Soler to explore this.

Ms. Thurlow offered use of Scott Neff to assist in writing any grant proposals. Ms. Thurlow discussed concerns about work to be done on the garden. She is hoping to receive grant funds for this and said that she has made representations to various groups regarding the completion of the garden. She recognizes that there is a timing issue on working on the garden since it cannot be done until the construction on that portion of the building has been completed. She is concerned that she may lose any grant monies received as a result of an inability to complete the work in the time allotted for spending the funds.

The next meeting of the Committee will be on May 6, 2009 at 7:30 a.m.

The meeting was adjourned at 8:55 a.m.

Respectfully Submitted,

Jeremy Kaye, Committee Clerk