

Newtown Board of Education Virtual Meeting
CIP/Facilities/Finance Sub-Committee Minutes
May 27, 2020, 6:00 p.m.

Call to Order: The BOE CIP Sub Committee meeting was called to order at 6:03 by Mr. Delia. There was no public participation.

Participants: Dan Delia, Chair, Sub-Committee, Ron Bienkowski, Director of Business, Dr. Lorrie Rodrigue, Superintendent, Dr. Michelle Ku, Chair, Board of Education, Robert Gerbert, Director of Operations, Deb Zukowski, Sub-Committee, Debbie Leidlein, Sub-Committee, Mark Pompano, Director of Security, Allen Adriani, Sustainable Energy Commission, Kathy Quinn, Sustainable Energy Commission John Prunier, District Manager, Whitsons, joined at 6:09 p.m.

Pledge of Allegiance

**Item 1 Approval of April 9, 2020 BOE CIP Sub Committee Minutes
Approval of April 30, 2020 BOE CIP Sub Committee Minutes**

Mrs. Leidlein moved to approve the minutes of April 9, 2020 and April 30, 2020. Ms. Zukowski seconds the motion. All in favor. Motion passes.

Item 2 Review of 2020 Building & Site Projects and MG HVAC Bids and Recommendation

MR. Bienkowski presented a summary of the building and site projects as budgeted and which lists actual expenses (attached). Additional projects were added at HOM which included the additional card reader, and replacement of 40 classroom curtains with shades. For the High School, the additional track repairs and field refresh were added for safety reasons to meet the standards of the compression and compaction. Mr. Bienkowski stated the summary also included a breakdown of the MG HVAC bid. Mr. Bienkowski said that if we move ahead with this project it would require \$107,690 which would leave us within \$28,000 of the bottom line of the budget.

Mr. Delia asked if all projects were approved in last year's budget and that it looks like we would go over the building and site maintenance budget by about \$29K if we do this MG project. Mr. Bienkowski agreed with Mr. Delia's statement.

Mr. Gerbert talked briefly regarding the MG HVAC project. The job was originally proposed as just providing cooling for the auditorium/gym which included the installation of 4 ductless splits for cooling. The RFP (Request for Proposal) went out before Mr. Gerbert was employed by NPS. Mr. Gerbert re-evaluated the job and asked the designer to prepare specs for another bid which was done in April of this year. He received several high priced bids ranging from \$127K to \$212K. He then explored alternative options by contracting Trane and ABS. Automated Building Systems (ABS) came in with a proposed alternate option to replace the existing heating only units above the stage in the auditorium

with heating and cooling for \$107,690. Mr. Gerbert recommends to pursue the option with ABS at the lower bid.

Ms. Zukowski asked if the only rooms that would be cooled are the auditorium and gym. Mr. Gerbert stated yes. Ms. Zukowski then asked if there would be more movement of air overall and able to address some of the air quality within those two rooms. Mr. Gerbert said yes.

Mr. Adriani from the Sustainable Energy Commission asked Mr. Gerbert if the original proposed bid included CO² demand controls with the roof top units. Mr. Gerbert said yes and stated that the existing units that would be replaced in-kind already have a fresh air intake so there is ventilation which the new units will provide.

Mr. Gerbert explained what exactly the installation would consist of.

Mr. Bienkowski stated we had several bids and it is perfectly appropriate to negotiate after we have received bids that don't come in at the right quantity amount. We now have a comprehensive solution to bring in fresh air in addition to providing cooling and air condition into the hotter periods. If the committee is in agreement with this vendor and installation then it should go to the Board for approval.

Ms. Zukowski asked where would the money come from to address the \$29K overage in the buildings and site budget. Mr. Bienkowski stated it would come from the overall balance that exists in the school budget. He said it is not unusual to see an account go over while other accounts are under.

Mr. Delia stated he is in support of this and glad we are doing this for Middle Gate.

Ms. Zukowski concurs and Mrs. Leidlein is in agreement.

The committee is in consensus and this item will go to the Board of Education to award the contract for the MG HVAC project to Automated Building Systems (ABS) for a bid price of \$107,690.

Item 3 Discussion and Possible Action on the Revision to the CIP

Mr. Bienkowski presented the CIP stating that adjustments have been made since the last meeting (attached). All of the costs moving forward have been increased by a 6% inflation factor for construction. There are no major changes to the plan. The main project for next year is the Hawley HVAC and replacing the HS Stadium field. Mr. Bienkowski stated he did not think we could push the High School field off another year as it needs to be done. The Hawley project has been on the CIP for 15 years and it is now exciting to see it finally come up. Presently there is an RFP (Request for Proposal) out for engineering and design professionals.

Ms. Zukowski asked about the unsightly house/landscape on the CIP and how we previously talked about it wasn't an option to pursue and therefore taking it off the CIP.

Mr. Bienkowski stated this is a committee decision as this was a plan that was approved by the Board of Education. He would remove it if the sub-committee as a whole decides to remove it.

Ms. Zukowski asked if the school district was allowed to own land and buildings. Mrs. Bienkowski said no that the town owns the buildings and land.

Dr. Rodrigue stated she wrote a letter to the town earlier in the year and went to the Board of Selectman which they chose to not act on it. She suggested at this time that it may not be worth having it on the CIP as it is less of a priority. There does not seem to be interest from the town to purchase this property and that we have to look at what is important.

Mrs. Leidlein stated she was okay with taking it off the CIP or pushing it out. Maybe in 5 years if the property is still available it could be looked at but at this time it is not a priority.

Mr. Delia stated his thought was to push it way out but keep it on the CIP. If circumstances change and we need the land then it would be on the CIP.

Ms. Zukowski asked Mr. Gerbert if he was aware of all options looked at and motivations on this project? Mr. Gerbert stated he knows there have been concerns for safety, security, and potential room for additions. There are several reasons of wanting to pursue purchasing that land.

Ms. Zukowski suggested we pull it off since it is not our purview to put land purchases on the CIP, she thought we should continue to investigate this and once we have enough to convince the Board of Selectmen to actually support the purchase we could then look at it again.

Dr. Rodrigue stated we need to be clear. Safety and security was part of her letter. The First Selectman had the Newtown police do a safety study. They looked at a variety of things and one of the issues was how many times they were called to the property. There was no safety issue. The Town is the only one who can purchase the property. If this is off the CIP it does not prevent us from going back to the town for a discussion.

Mr. Delia stated he is good with removing it from the CIP.
Ms. Zukowski concurs to remove it as well.

The consensus from the committee was to now remove the purchase of the unsightly house from the CIP.

Ms. Zukowski brought up the boilers at HOM and separating the boilers out from the lighting and put them in year 2.

Mr. Gerbert stated there is no negative to doing this. With the Reed project coupled together there are more rebates to be had. If we break out the boilers from the lighting at HOM, there would be no impact on potential rebate. There would only be eligibility for lighting.

Ms. Zukowski asked what the cost would be if separating the boilers and putting them into year 2. Mr. Gerbert stated the cost is about \$400K.

Mr. Adriani stated that we need to keep in mind the Hawley project as part of the design is required to do an indoor air quality study and the building has to be occupied in order to do that study. Because of COVID if the schools do not go back in in the fall we would not be able to do the air quality study which would delay the project a whole year.

Dr. Rodrigue asked the question if the building has to be fully occupied in order to do the air quality study? If we are on a staggered schedule at 50% capacity does that still qualify?

Mr. Gerbert stated it will give you some data but cautioned we don't want to design a system based on 50% capacity and then 2 years later we are back at 100% capacity and run into issues. We still have to lead the designers to anticipate it as a fully occupied building.

Mr. Delia stated there is no incentive to do the boiler and lighting together at HOM but there is an incentive to do them together at Reed.

Mrs. Leidlein stated if there is any concern over putting the project at Hawley in jeopardy and if we add more to year 2 and we can't swap it out then she does not agree. She would prefer to leave things as they are and see what happens in the fall with the Hawley project since we have time to make this decision and it does not need to be made now.

Mr. Delia stated we could make this change down the road if we are patient.

Mr. Bienkowski stated we would bring this to the Board of Education in September and then forward to the Board of Finance. We have a couple months on this.

Mr. Delia stated we want to be thoughtful and patient. This will be on our agendas for a few times before that time in September.

Dr. Rodrigue agrees and all are good points. She stated just because the boiler is older does not mean we would have considerable trouble with if we left it where it is. She does feel nervous about the economic landscape if we have to push anything back.

Mr. Bienkowski pointed out that we did spend considerable money on these boilers in the past year; \$60K at HOM. They are in good shape now. We need to look at the numbers carefully if we are going to split them up

Mr. Delia asked Mr. Gerbert to look at the numbers on splitting this up and getting back to the Committee.

The consensus of the committee was to leave the HOM project as is for now.

Mr. Delia asked Mr. Gerbert if he felt any urgency in the Reed project or is it still good for 2 years from now.

Mr. Gerbert stated he thinks having the project where it is on the CIP is fine.

Mr. Adriani asked Mr. Gerbert about the age of the CO monitors at Reed. Mr. Gerbert stated he did not know the age but he spoke with our vendor who provides them and he explained the operation of the unit and that they are good for 10 years and are tied into the fire panel. If they did detect carbon monoxide they would alert the panel. They also give an audible chirp when they approach their end of life.

Mr. Adriani stated that he was given a tour of Hawley by Mr. Gerbert not to long ago. He stated as we go through the design, the older 1947 wing have tall ceilings. He recommended to bring the ceilings down by doing a study to determine energy costs, equipment costs.

Mr. Adriani stated we need to set a date to walk the schools. Mr. Delia said we could do this the end of June or early July.

Mr. Gerbert stated he agrees with Mr. Adriani regarding the design intake about the ceilings. Mr. Gerbert thanked Mr. Adriani for his insights he had for the RFP and that he had a number of contributions that were very helpful.

Item 4 Recommendations of Additional Expenditures for Fiscal Year 2020

Mr. Bienkowski talked about the Verkada Security System that was installed last year. The district re-equipped all of the security cameras throughout the school district and entered into a 5 year lease purchase agreement. Our first installment payment was June of 2019. The second installment is in the next month and following that we have 3 installments that will need to be paid. The 3rd installment is budgeted in the operating budget for next year, and the fourth and fifth installments will have to be appropriated or included in the budgets for those years. He stated one of the considerations was to pre-pay this lease arrangement. There is no pre-payment penalty if we chose to make these payments and there is no interest forgiveness. Advantage to pre-payment is to reduce the need that we would have to budget for that in year 2 and 3 if we went this way and, if we decided to pay all 3 of the lease payments it would give us the opportunity to have \$124K in next year's budget that could be re-assigned for other purposes for things we are not aware of now. Another reason for recommending this is we have a considerable balance brewing for the current year and it would help to reduce that balance and it would be a benefit both currently and in the future. His recommendation is to go for a 3 year pre-payment. He does not think it will significantly impact the balance we will have for the current year and the balance is a manageable amount.

Mrs. Leidlein stated she sees this as two ways. She said she is concerned with pre-paying this ahead of time. With pre-payments there is no trail of yearly payments. There is also not a benefit in paying it off as we would not be paying less if we are paying for it ahead of time.

Mr. Bienkowski talked about the support from the company for the next 10 years even though we only paying for 5 years. The line items within the budget would show an expense for this year and next year there would be no expenditure. If we had to we would be able to explain the drop off from this year to next year and then from next year going forward there should be a consistent dollar amount. There will not be a big jump in year 3 or 4.

Ms. Zukowski asked how much the charge would be for them to continue to guarantee the system for years 6 through 10. Mr. Bienkowski said it is already included in the price. Mrs. Zukowski stated then it would be a wash if we continue to pay it on time, we would still have 5 years where someone would see nothing and if we pay it ahead, you would see no expense in the next 5+ years.

Mr. Pompano stated he is very happy with the system and we will continue to get software upgrades for the 10 years. We don't have to start thinking about another camera system until the fall of 2028. He stated he agrees with Mr. Bienkowski to pre-pay the payments.

Mr. Delia stated he does not see a benefit to prepaying.

Mr. Bienkowski stated the benefit would be that we don't have to budget for 2 years out and you can build in \$125K balance available in next year's budget. If we pre-pay it now we would have that \$125K to redirect to whatever the needs would be in the operating budget.

Mrs. Leidlein said she was not sure that this is the best way to handle this. She said she was willing to agree with Mr. Bienkowski.

Ms. Zukowski asked what the amount would be that would be available to address COVID Operational costs for next year.

Mr. Bienkowski stated that the numbers he has at the moment is the difference between \$1.3M on the high side to \$800K on the low side. Even with this expense there could be a significant fund balance available.

Dr. Rodrigue stated she thought we would be okay and agrees with Mr. Bienkowski that this is a smart move.

Mr. Delia stated he thought we should hold back on making this decision tonight.

Mr. Bienkowski stated this takes time and if we agree to pre-pay and it would still need to go to the full Board.

Mrs. Leidlien stated she would not be opposed to bringing it to the full board for a full discussion.

Mrs. Zukowski also agrees on bringing it to the full board.

MR. Delia stated the consensus was to bring this issue to the Board of Education.

Mr. Bienkowski then brought up the second additional recommendation of the security station at the front of the High School. It was originally installed in 2009. It is only an 8x8 facility and the thought is to replace it with an 8x10 facility with year-round occupancy with heat, utilities and a computer. Estimates will probably be in the \$8-10K range. The \$28K shortage on the Building & Site Improvement Projects list would then become a \$38K shortage. We have the opportunity to replace this and do this work now.

Mr. Pompano explained the reason for replacing this is the building is too small, and the ceiling is small for taller security officers. There is a heater in there but no insulation. We have tried to get this building replaced by grant applications in the last two years without any luck.

The committee concurs that this is something that needs to be replaced.

Mr. Delia thanked Mr. Pompano for all he has done with regards to security for the district and students.

Item 5 Food Service Program

Mr. Bienkowski explained where we are at with the Whitsons' 4th year amendment. Due to COVID 19 the current operations have been suspended since March 12th. With regards to a contract for 2020-2021, the BOE is required to approve a 4th year amendment which has to be approved by the State of CT and has to take place before June 30th. The Key is we need to have a food service management company here to help and advise us going forward.

Mr. Prunier, District Manager of Whitsons, stated he wanted to thank everyone for their time. He said Whitsons is dedicated to really being with Newtown every step of the way...and with doing the emergency feeding in district, Whitsons has served over 9,000 meals. With the CDC interim plans we are as close to the situation as a company can be and we have developed a task force and guidelines but we don't know what the district will need yet. ...we don't want to be pre-emptive in spending money. We know there will be additional costs related to adding plexiglass for servers, PPE, transport equipment to deliver meals to classrooms, signage, etc., basically an never ending list. Cost factors are all over the board. We need more guidance from the State and we will proactively work with Newtown to be ready for the fall.

Dr. Rodrigue stated she wanted to thank Whitsons. She said we had little time to coordinate the meal distributions and her numbers recently came in with Whitsons serving close to 11,000 lunches. She further said, Whitsons has been fabulous, and has done so much good for the community and kids. We have a Re-entry Committee that just started and we will be reaching out to Whitsons on logistics and operations which they will be a part of.

Mrs. Leidlein stated she is in support of continuing the partnership with Whitsons.

Ms. Zukowski stated she thought everything looks reasonable and shifting to someone else at this time is not a place we want to go.

Ms. Zukowski asked if Whitsons is responsible for providing the PPE for their staff.

Mr. Bienkowski stated he is not sure what is going to be required for their workers.

Mr. Prunier said under normal conditions we do have uniform expense, hairnets and gloves. But if there are additional requirements, we will have to lay that cost out as additional to the program and bring it to Mr. Bienkowski. He will forecast that based on longevity of what the situation is going to look like.

Mr. Delia stated he is in full support and wanted to also thank Mr. Prunier and Whitsons as this is more than servicing food but also taking care of our students and Whitsons has done a wonderful job.

Ms. Zukowski concurs with recommending Whitsons 4th year Amendment to the Board at the next Board meeting.

Item 6 Discussion of Non-Lapsing Fund and Policy

Mr. Delia stated he wanted everyone to be aware that this committee is not the policy committee and that we are having a discussion only. We rely on the expertise of the Policy Committee to write the policy.

Mr. Bienkowski stated the draft of the regulation for discussion was included in the prior meeting (attached). The yellow areas are additions added since the last sub-committee meeting.

Ms. Zukowski stated she was trying to understand if there is a mission that describes the value we get out of this policy. She does not see a mission statement. She stated when we have an emergency that puts students or staff in danger and we need to fix as soon as possible, it would be nice to go to the non-lapsing fund without getting approval from the Board of Finance.

Dr. Rodrigue stated when the state first decided that districts would be able to have a Non-Lapsing Fund it was for capital projects, and emergencies. That was the goal, so when the districts had unexpended funds they could put into the fund and utilize the money so they would not have to go through the town to request the funds. When we spoke with our attorney he was nervous with SpEd being a part of it. We decided to earmark a part of that money within that larger fund. Even when we go to other boards there is a lot of confusion over the contingency and the earmarking of the funds. This policy was drafted just to define on a broad level that there is the fund and what the purpose of the fund is.

Ms. Zukowski says as a Finance Board discussion, we need to have a deeper conversation and we need to articulate better at what the value to the town is, what they get based on our ability to manage this fund.

Mr. Bienkowski stated this document he prepared came as a result of reviewing 30 other town regulations and how they use their Non-Lapsing Fund. Mr. Bienkowski stated he is struggling to understand what do we change in this draft and what is inappropriate in this document that needs to be changed. The point of this document is to say that the fund was created, when it was created, and what has happened since then. This is a guideline of what we need to consider and how we consider using any money in the fund.

Mr. Delia stated this document is a more pertinent conversation for our committee than the actual policy.

Dr. Ku stated the purpose of the fund was really set up by the Board of Finance with the Board of Education in order to give the Board of Education the ability to save the money at the end of the year so we are not spending down money just to be able to use it on education regardless of where we are spending it. It is not a good planning mechanism because we are not budgeting to put money into it so you can't really plan to do anything with it unless you know you are building up funds in it.

Mr. Delia stated we are a finance committee and as a committee, we can discuss how the funds are used. The policy is a policy that is meant to be very broad. We can discuss the regulation that Mr. Bienkowski has brought to us.

Dr. Ku stated regulations tend to be developed by administration. But she does see the CIP committee making recommendations.

Mrs. Leidlein stated looking at what Mr. Bienkowski has put together in the regulation, it gives us flexibility. She agrees with what has been added. She said she feels that this is something she could get behind. She did say she is concerned about anything which would bind us from making decisions as events or changes happen as the idea was to give us flexibility with regard to this account.

Mr. Delia stated he agrees and the regulation does include the Board of Finance.

Mr. Delia stated Mr. Bienkowski will share the regulation with all BOE CIP Sub-Committee members to review the document and for each to add comments and at the next meeting we will discuss it and put it to rest.

Dr. Rodrigue stated we are all one town with one taxpayer base and any unexpended funds we use for good purpose is helpful to the town and taxpayers. Whether the town is using their funds or we are using funds from our Non-Lapsing.

Mr. Delia stated the Non-Lapsing Fund is a wonderful tool because it allows us to not require to spend down a budget and it keeps the money in a vehicle that allows us to use it for the students and original purpose, education.

Mrs. Leidlein agreed with Mr. Delia. She said this is not meant to be a budgeting tool. She said she would like our Legal Council to weigh in and explain to us their understanding of the legality of us making certain decisions and trying to establishing different pathways to use or access this funding.

Mr. Delia stated he would talk with Dr. Ku regarding this.

Adjournment:

Mr. Delia asked for a motion to adjourn the meeting. Mrs. Zukowski moved to adjourn the meeting. Mrs. Leidlein seconds the motion. All in favor. Motion passes and meeting was adjourned at 8:40pm.

Respectfully Submitted,
Joanne Morris

THESE ARE DRAFT MINUTES AND ARE SUBJECT TO THE APPROVAL OF THE BOE CIP/FACILITIES/FINANCE
SUB COMMITTEE