

East Side Fire Station Building Committee Regular Meeting

East Side Fire Station

980 New Haven Avenue, Milford, CT

Tuesday, April 29, 2014

Call to Order: Chairman Healy called the meeting to order at 1805 hours. A quorum was present.

1. **Roll Call**

Committee Members John Healy, Carmen Corvino, William Brennan, Jack Jansen, and Bill Bevan. Also present were Ret. Battalion Chief William Healey and Attorney Jeff Donofrio.

2. **Minutes from February 17, 2014**
Regular Meeting - February 17, 2014

Committee Members Corvino and Bevan made and seconded a motion to accept the minutes of the February 17, 2014, regular meeting as presented. Motion carried unanimously.

3. **Report of the Chairman**

Chairman Healy noted he appreciates Attorney Donofrio being present for the meeting.

4. **Executive Session**

- a. Report from Attorney Donofrio on the status of legal claims

The Committee invited Ret. Battalion Chief Healey and Attorney Donofrio to remain during executive session.

Committee Members Corvino and Bevan made and seconded a motion to enter executive session to discuss pending legal claims. Motion carried unanimously.

The Committee entered executive session at 1806 hours.

Committee Members Brennan and Bevan made and seconded a motion to return to open session. Motion carried unanimously.

The Committee returned to open session at 1837 hours.

Committee Members Brennan and Corvino made and seconded a motion to proceed to settle the claims as discussed during executive session, as recommended by Attorney Donofrio. Motion carried unanimously.

5. **Invoices**

East Side Fire Station Building Committee Regular Meeting

East Side Fire Station

980 New Haven Avenue, Milford, CT

Tuesday, April 29, 2014

a. Secretarial Fees

Committee Members Brennan and Corvino made and seconded a motion to pay the invoice in the amount of \$50 to Recording Secretary Colleen Birney from account 0040-4320-5527-4168-0000 (secretary). Motion carried unanimously.

6. **Unfinished Business**

a. Open Payment Applications

None.

7. **New Business**

a. Transfer of Funds Between Accounts

Committee Members Brennan and Jansen made and seconded a motion to transfer funds from the Contingency Account to the Construction Account to satisfy the settlement agreement. Motion carried unanimously.

b. Discussion on Closing out the Building Committee

Chairman Healy discussed with the Committee the lack of a permanent Certificate of Occupancy. He said unfortunately that is an item that should be handled by the City Attorney's Office at this point. He noted one of the issues that remains unfinished and is preventing the permanent Certificate of Occupancy is the lack of access panels in appropriate locations. He said there have been discussions with DeCarlo & Doll about this issue, and the City Attorney's Office is better suited to come to a final conclusion on both the access panels and the mitigation of the water coming from the condenser behind the station. The Chairman said Attorney Donofrio, in concert with Attorney Berchem, can reach a resolution on those items; there remains no other issues that prevent the City from obtaining a permanent Certificate of Occupancy.

Committee Members Brennan and Bevan made and seconded a motion to recommend Committee Member Corvino compose a letter to the Mayor suggesting the decommission of the Committee due to the fact that the remaining issues are legal issues that can be handled by the City Attorney's Office. Motion carried unanimously.

East Side Fire Station Building Committee Regular Meeting

East Side Fire Station

980 New Haven Avenue, Milford, CT

Tuesday, April 29, 2014

Chairman Healy suggested including in the letter the indication that the commissioning agent owes a final report to the City. The understanding is the agent has been paid in full for his services.

Committee Member Jansen inquired where the HVAC system issue will go from here. He said he sees this as a potential major problem for the station. Committee Member Brennan commented he is disgusted with the fact the Committee has worked very hard over the past four years to put the building together, and the mechanical portion of the system was never put together correctly. He said this will remain an issue for years. Currently there are seven electric heaters being used to heat the building.

Attorney Donofrio added there needs to be a determination as to whether the cause is related to a design deficiency, installation deficiencies, or a combination of both. Committee Member Jansen commented he believes it is probably a combination, but in his opinion, the design issue is a large portion of the problem.

Chairman Healy noted this has been a frustrating four years. He thanked all the people on the Committee for the support they've given. He thanked Ret. Battalion Chief Healey for his support well beyond his retirement and noted he has been very, very helpful.

Chairman Healy said on behalf of the Committee, and especially Committee Member Brennan, who has been exceptional in his assistance to the City and the Committee, there are issues that remain to be resolved. He noted it is beyond the scope of the Committee to resolve said items. The heating system is not in the condition it should be. He added he has been very happy with Attorney Donofrio's assistance and work. He said he is very confident Attorney Donofrio will be able to resolve the remaining heating system issues satisfactorily.

The Chairman expressed his thanks to the Committee for their hard work; he felt it is time to move on and allow the City to finish the remaining issues. The Committee should feel proud of the efforts they have made on the City's behalf.

8. Adjournment

Committee Members Corvino and Jansen made and seconded a motion to adjourn at 1848 hours. Motion carried unanimously.

Recorded by C. Birney