



TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL
HYBRID FORMAT

741 Colonel Ledyard Highway
Ledyard, CT 06339
860 464-3203
<http://www.ledyardct.org>
Roxanne M. Maher
Administrative Assistant

Chairman S. Naomi Rodriguez

MINUTES
ADMINISTRATION COMMITTEE
SPECIAL MEETING
AND
WORK SESSION

Wednesday, July 24, 2024

5:30 PM

Town Hall Annex Building

DRAFT

- I. CALL TO ORDER – The Meeting was called to order by Councilor Garcia-Irizarry at 5:30 p.m. at the Council Chambers Town Hall Annex Building.

Councilor Garcia-Irizarry welcomed all to the Hybrid Meeting. She stated for the Town Council Administration Committee and members of the Public who were participating via video conference that the remote meeting information was available on the Agenda that was posted on the Town’s Website – Granicus-Legistar Meeting Portal.

II. ROLL CALL-

Attendee Name	Title	Status	Location	Arrived	Departed
April Brunelle	Town Councilor	Excused			
Kevin Dombrowski	Town Councilor	Present	In-Person	5:30 pm	6:26 pm
Carmen Garcia-Irizarry	Committee Chairman	Present	In-Person	5:30 pm	6:26 pm
S. Naomi Rodriguez	Town Council Chairman	Present	In-Person	5:30 pm	6:26 pm
Fred Allyn, III	Mayor	Present	In-Person	5:30 pm	6:26 pm
Gary Schneider	Permanent Municipal Building Committee Chairman	Present	In-Person	5:30 pm	6:26 pm
Jerry Tyminski	Permanent Municipal Building Committee	Present	In-Person	5:30 pm	6:26 pm
Joe Gush	Permanent Municipal Building Committee	Present	In-Person	5:30 pm	6:26 pm
Kate DiPalma-Herb	BOE Rep Permanent Municipal Building Committee	Present	In-Person	5:30 pm	6:26 pm
Jason Harling	School Superintendent	Present	Remote	5:38 pm	6:26 pm
Wayne Donaldson	Board of Education Director of Facility and Grounds	Present	In-Person	5:30 pm	6:26 pm
Branden Graber	Board of Education Member	Present	Remote	5:30 pm	6:26 pm
Sarah Treaster	Board of Education Member	Present	Remote	5:33 pm	6:26 pm
Carol Schneider	Resident	Present	Remote	5:30 pm	6:26 pm
Deborah Edwards	Resident	Present	Remote	5:30 pm	6:26 pm
Roxanne Maher	Administrative Assistant	Present	In-Person	5:30 pm	6:26 pm

III. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of June 12, 2024
Moved by Councilor Dombrowski, seconded by Councilor Garcia-Irizarry

VOTE: 2 – 0 Approved and so declared

IV. BUSINESS OF THE MEETING

1. MOTION to recommend the Town Council reappoint Mr. David Nelson (R) 25 Hyde Park, Gales Ferry, as an Alternate Member of the Board of Assessment Appeals for a four (4) year term ending August 26, 2028.

Moved by Councilor Dombrowski, seconded by Councilor Garcia-Irizarry

Discussion: Councilor Dombrowski noted that the Board of Assessment Appeals did not recommend Mr. Nelson be reappointed due to the lack of attendance.

VOTE: 0 – 2 Motion Failed

RESULT:	0 - 2 FAILED
MOVER:	Kevin Dombrowski, Committee Member
SECONDER:	Carmen Garcia-Irizarry, Committee Member
AYES:	
NYES:	Kevin Dombrowski, Carmen Garcia-Irizarry
EXCUSED:	April Brunelle

2. MOTION to recommend the Town Council set a Hybrid (In-Person & Video Conference) Public Hearing date on September 11, 2024, at 6:30 p.m. to be held in the Council Chambers, 741 Colonel Ledyard Highway, to receive comments and recommendations regarding the following:

- Proposed “*An Ordinance Providing Tax Relief for Gold Star Families in the Town of Ledyard*” as presented in the draft dated May 14, 2024.
- Proposed amendments to Ordinance #100-011 “*An Ordinance Establishing ~~A Youth &~~ Social Services Board for the Town of Ledyard*” as presented in the draft dated June 4, 2024.

Moved by Councilor Dombrowski, seconded by Councilor Garacia-Irizarry

Discussion: Councilor Dombrowski noted at their June 12, 2024 meeting the Administration Committee voted favorably to forward both of the proposed Ordinances to the Town Council for their review and approval. He stated the Finance Committee reviewed the proposed “*An Ordinance Providing Tax Relief for Gold Star Families in the Town of Ledyard*” at their July 17, 2024 meeting and also recommended forwarding it to the Town Council as well.

Councilor Dombrowski went on to explain in accordance with Chapter III; Section 5 of the Town Charter that “.....*one public hearing shall be held by the Town Council before any ordinance shall be passed.* This motion was only to set the Public Hearing date.

VOTE: 2– 0 Approved and so declared

RESULT:	2– 0 APPROVED TO RECOMMEND
MOVER:	Kevin Dombrowski, Committee Member
SECONDER:	Carmen Garcia-Irizarry, Committee Member
AYES:	Kevin Dombrowski, Carmen Garcia-Irizarry
EXCUSED:	April Brunelle

IV. WORK SESSION ITEM

Round table discussion to amend Ordinance #100-015 “*An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard*” as presented in the draft dated May June 4, 2024.

Councilor Garcia-Irizarry invited members of the Permanent Municipal Building Committee and members the Board of Education who were present this evening to participate in the Administration Committee’s review and discussion regarding the proposed amendments to 100-015 “*An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard*” as presented in the draft dated June 12, 2024.

Mr. Joe Gush, 57 Town Farm Road, Ledyard, Permanent Municipal Building Committee (PMBC); asked the following questions:

- ***Reason to amend the Ordinance.***

Councilor Garcia-Irizarry responded to Mr. Gush explaining that both the Town Council and the Board of Education have been discussing the need to provide the PMBC with professional support such as an Owners Representative to assist them with very large construction projects. She noted the amount of paperwork and logistics that come with building projects that cost millions of dollars. She stated the objective of hiring an Owners Representative and/or other Professionals was to help with the details of the projects, and avoid oversights and project delays.

- ***How Committee Members were Reappointed to a Town Committee***

Section 4. Terms of appointment

Regular members shall be appointed by the Town Council for a term of three (3) years. Members shall commence to serve their terms immediately upon appointment and shall serve until their successor has qualified or they have been ***reappointed*** or removed ***by the Town Council***.

- ***References*** – Mr. Gush noted that the Ordinance #100-015 “*An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard*” does not include any references to things like the Purchasing Ordinance. He noted as an example he did not understand why the PMBC had to send something to the Finance Committee when they only received two quotes. He recommended these types of references be included in the Ordinance so the PMBC volunteers know what the rules of engagement were, so they could do things correctly.

The proposed Ordinance Amendments included references to the Ordinance #200-001 (rev.1) “*Purchasing Ordinance for the Town of Ledyard*” throughout the document.

Councilor Dombrowski stated he understands that they were all volunteers and that there were a lot of Ordinances, noting the time it would take to read them all. However, he stated it would be cumbersome to include references to all the different Ordinances.

- **Point of Contact** – Mr. Gush stated as a member of the Permanent Municipal Building Committee (PMBC) that he did not know his point of contact was, noting that he did not know who to start with.

Administrative Assistant Roxanne Maher responded to Mr. Gush stating that the Permanent Municipal Building Committee’s first point of contact was Executive Assistant Kristen Chapman, who recently began supporting the Committee. She stated prior to Ms. Chapman, that their point of contact was Assistant Town Clerk, Lisa Sartori. She also noted that should Ms. Chapman not be available that they could contact her in the Town Council Office.

Mr. Gary Schneider, 101 Inchcliffe Drive, Gales Ferry, Permanent Municipal Building Committee (PMBC) Chairman, submitted the following editorial revisions noted below in *purple font*:

DRAFT ~~4/29/2024~~~~6/12/2024~~: 7/24/2024 Ordinance # 100-015 (rev.1)

AN ORDINANCE ESTABLISHING
A PERMANENT MUNICIPAL BUILDING COMMITTEE
FOR THE TOWN OF LEDYARD

Be it ordained by the Town Council of the Town of Ledyard

Section 1. Authority

Pursuant to Chapter IV, Section 7 of the Town Charter, a Permanent Municipal Building Committee is hereby established.

Section 2. Purpose

The Permanent Municipal Building Committee shall have continued responsibility for the execution of ~~major select~~ construction and maintenance projects for the Town of Ledyard *as assigned by the Town Council*. The Permanent Municipal Building Committee will oversee and supervise the design, construction, renovation, demolition and removal of Town and Board of Education buildings *that fall within the approved budget* ~~cost-estimated-threshold~~, as well as any significant installation, renovation or upgrade of service equipment and major systems as provided herein.

The Permanent Municipal Building Committee may have responsibility for the execution of buildings or infrastructure projects associated with the provisions of water and/or sewer, if deemed appropriate by the Town Council.

For projects whose total project cost is estimated to exceed \$500,000, an Owner’s Representative and/or Consulting Engineer shall be hired through a quality-based selection process to assist the Permanent Municipal Building Committee with management and oversight of such project(s). The Owner’s Representative or

Consulting Engineer shall not have authority to make decisions, approvals, or otherwise act on behalf of the Permanent Building Committee unless specifically designated to do so by contract. The Owner's Representative or Consulting Engineer shall be required to have the requisite experience, knowledge, qualifications, personnel and capacity necessary to manage such a project.

The selection of an Owner's Representative or Consulting Engineer shall be publicly advertised through a Request for Proposal to solicit proposals from interested parties. The Request for Proposal shall provide a clear scope of services that specifies the roles and responsibilities of the Owner's Representative or Consulting Engineer. Where possible, it shall clearly specify the level of oversight during construction so that proposals from multiple firms can be clearly leveled during the evaluation process.

The selection of the Owner's Representative or Consulting Engineer shall be awarded to the firm that provides the best value to the Town of Ledyard. The best value is defined as the firm providing the highest quality, expertise, and knowledge for the proposed project. This shall also include the quality of referrals from a minimum of three references provided by the proposers. It shall also consider the fee for the work; however, the fee shall not be the sole basis for award.

*When a project involves the purchase of replacement equipment costing more than \$500,000, a waiver to bypass the solicitation of bids for the engagement of an Owner's Representative or Consulting Engineer may be approved by the Town Council; ~~and shall be~~ **as** requested by the Permanent Municipal Building Committee prior to purchase and installation of the equipment.*

The Permanent Municipal Building Committee shall comply with provisions provided in Ordinance 200-001 (rev.1) (An Ordinance for Purchasing) with regard to the competitive bid process; and shall interview a minimum of two firms prior to selection. Should only one firm be determined qualified to perform such work, the Permanent Municipal Building Committee may request a waiver for such a requirement should the firm's proposal be reasonable for the proposed scope of work.

*The Permanent Municipal Building Committee shall make a written recommendation to the Town Council for the award of such services. The recommendation shall include a summary of proposers, a weighed ranking sheet for the selection, and reasons why the Permanent Municipal Building Committee is recommending such a firm. The final decision of award will lie with the Town Council. The Town Council possesses the authority to **reject the recommendation and refer it back to the Permanent Municipal Building Committee for further action relative to making another recommendation for the award of such services** ~~to award to a different firm if it deems that such a firm is~~ in the best interest of the Town of Ledyard.*

*Mr. Schneider explained because the Town Council does not participate in reviewing the proposals or the interviews, he suggested that the Town Council would **refer the selection back to the Permanent Municipal Building Committee to make another selection.***

Ms. Kate DiPalma-Herb, 20 August Meadows Drive, Gales Ferry, Board of Education Representative on the Permanent Municipal Building Committee, stated after the PMBC has gone through the entire process of vetting contractors and interviews and reviewing the stacks of presentations and information, they make an educated decision and recommendation, that the Town Council could then say “No”; and say “*They wanted the PMBC to choose another group*”.

Councilor Dombrowski explained that the language has been proposed to be included in the amended Ordinance because the Town Council has the fiduciary responsibility for the town. Ms. DiPalma-Herb stated if that was going to be the process, then the Town Council should be involved in the PMBC vetting process. She stated if the PMBC was going to be given the responsibility that they need to also have the authority. She asked that the Town Council attend the PMBC Meetings and be part of the vetting process.

Councilor Garcia-Irizarry stated that she understood what Ms. DiPalma-Herb was saying about the work the PMBC does to make their decision and recommendation; and that Town Council was not involved in that process. She suggested that perhaps they should include language or a mechanism for a member of the Finance Committee to participate in the PMBC vetting/interview and decision process.

Ms. DiPalma-Herb noted that the Town Council does provide a Liaison to the PMBC. However, she questioned how the Town Council received information if the Liaison was not regularly attending the PMBC Meetings when Board of Education Projects were being addressed. Chairman Rodriguez stated the Liaison does provide reports to the Town Council, noting that if they were not able to attend that they would watch the video and/or read the minutes. Councilor Dombrowski stated the Liaisons are intended to keep the Town Council informed on what was going on with all the other town boards and commissions. He stated if a Committee had a question for the Town Council, they could ask their Liaison to convey the question, and vice-versa, if the Town Council had a question they could ask the Committee’s Liaison to relay the question to the Committee. He stated the Liaisons do not serve in the capacity as an Ex-Officio Member of any Board or Commission. Chairman Rodriguez stated the same was true for the Board of Education’s Liaisons noting that they do not attend every meeting that they were a Liaison to.

Where external funding sources are used to fund the project, such requirements of the funding authority shall apply to the selection process as well. Where conflicts occur between this ordinance and the funding authority’s requirements, the most stringent requirement(s) shall be applicable as determined by Mayor or their designee.

The Requests for Proposals for Owner’s Representatives or Consulting Engineers is subject to review by the Town Director of Finance. The Director of Finance is responsible for ensuring that all required local and state purchasing requirements are met and that all insurance requirements are included in the Request for Proposal.

From time to time, the Permanent Municipal Building Committee may be asked to undertake certain studies or projects by the Town Council. In case of multiple projects, the Town Council may form a separate building committee for a particular project.

Section 3. Membership

The Permanent Municipal Building Committee shall consist of the following members appointed by the Town Council:

Regular Members: Five (5). These members, to the extent possible, shall include those with experience in finance, engineering, architecture, project management, or the building trades. They shall be appointed *by the Town Council* for a term of three (3) years.

Temporary Members: For each municipal project, up to two (2) temporary members who are a member or representative of the Proposing Body shall be appointed by the Town Council.

For Board of Education projects, at least one *of their two* temporary members shall be a Board of Education member. *Board of Education Temporary Members shall be appointed by the Town Council.*

Temporary Members shall serve for the term of the project they have been appointed for.

Temporary members shall have the right to vote on the activities of the Permanent Municipal Building Committee only with respect to the particular project for which such members were appointed.

Ex-Officio Members: The Town Finance Director, *Public Works Director*, Board of Education Business Manager and/or his designee, *Board of Education Director of Facilities and Grounds*, Town Engineering Technician, Town Planner and the Permanent Municipal Building Committee's Town Council Liaison shall be non-voting ex-officio members. ~~The Board of Education member and the Board of Education Business Manager may be excused from participating in non-Board of Education related matters.~~

Quorum: A quorum shall consist of a majority of *Regular* voting members.

Mr. Schneider questioned what number of members made a quorum?

Councilor Dombrowski responded noting that a quorum was the majoring of Regular voting Members, which was three. Therefore, he explained that temporary members representing specific projects would not count toward a quorum.

Mayor Allyn explained that if the temporary members representing a specific project were not in attendance that the business of the Permanent Municipal Committee would continue to be conducted.

The Committee could vote on items related to specific projects even if the project representatives were not present.

Mr. Jerry Tyminski, 58 Partridge Hollow, Gales Ferry, Permanent Municipal Building Committee Member, noted the Regular Members would serve three (3) years. However, he stated the Ordinance does not state how long the Temporary Members would serve.

Councilor Dombrowski stated Temporary Members would serve for the duration of the project.

The Group agreed to add the following language to provide clarification regarding the Temporary Members term:

Temporary Members shall serve for the term of the project they have been appointed for.

Section 4. Terms of appointment

Regular members shall be appointed by the Town Council for a term of three (3) years. Members shall commence to serve their terms immediately upon appointment and shall serve until their successor has qualified or they have been reappointed or removed by the Town Council.

Any vacancy in the Permanent Municipal Building Committee other than by expiration of term shall be filled for the unexpired portion of the term by the Town Council. The Town Council may remove members for cause and fill the vacancy per Chapter IV, Section 6 of the Town Charter.

Cause for removal shall include, but is not limited to, unexcused absence from three (3) consecutive regular meetings and any intervening duly called special meeting.

Any member of the Permanent Municipal Building Committee who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Permanent Municipal Building Committee. The vacancy shall be filled as herein before provided. Additionally, the Permanent Municipal Building Committee may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this action.

It shall be the responsibility of the Chairman of the Permanent Municipal Building Committee to notify the Town Council when a member has not properly performed his duties.

Annually, the regular members of the Permanent Municipal Building Committee shall elect a Chairman, Vice Chairman and Secretary. Any vacancy in any such office shall be filled by the Permanent Municipal Building Committee from its regular membership.

Section 5. Powers and Duties

The Permanent Municipal Building Committee is authorized to develop design plans and drawings for municipal building projects directed by the Town Council, primarily in accordance with the Town's Capital Improvements Projects List.

The Permanent Municipal Building Committee is authorized to recommend to the Mayor to retain the services of architects and/or engineers for the purpose of planning, designing, building and administrating major capital projects. The process shall utilize a quality-based selection similar to that outlined in Section 2 for the Owner's Representative or Consulting Engineer. Such selection shall be based on experience, knowledge, capacity and expertise as well as the fee for performing such work.

When an Owner's Representative is required for the project, the Permanent Building Committee shall provide a recommendation for the hiring of an Owner's Representative prior to selecting the architect and/or engineer, so that the Owner's Representative may assist with the development of the Request for Proposal, the selection process, project control budgets, project schedules, contracts and other material necessary to properly solicit comprehensive proposals by interested firms. ~~The Permanent Municipal Building Committee is authorized to interview architects and/or engineers for the purpose of planning, designing, building and completing municipal building projects, and based on said interviews and cost estimates, to hire suitable candidates.~~

The Permanent Municipal Building Committee is authorized to develop schedules and ~~budgets cost estimates~~ for municipal building projects. *However, when an Owner's Representative is required, the Owner's Representative shall be responsible for drafting such schedules and budgets; and shall be approved by the Permanent Municipal Building Committee. The Owner's Representative shall also be responsible for developing a project cash flow projection for review by the Town Director of Finance, as approved by the Permanent Municipal Building Committee.*

The Permanent Municipal Building Committee is authorized to recommend to the Mayor the **execution** of municipal building project contracts as may be approved by the Town Council.

Mr. Schneider questioned whether "**execution**" should be replaced with "**award to the lowest qualified bidder**".

Councilor Dombrowski stated the word should be "**execution**" because as the Chief Elected Official (CEO) the Mayor would be the person signing/executing the contracts that the Permanent Municipal Building Committee has recommended.

The Permanent Municipal Building Committee shall have authority over all change order requests. The Permanent Municipal Building Committee shall also coordinate all applications for grants and other financial assistance documents *except for school construction grants through the Department of Education. Such grant applications are the responsibility of the Superintendent of Schools and the Board of Education.* The Permanent Municipal Building Committee shall submit change orders and grants/financial assistance documentation to the appropriate authority in a timely manner and with timely notification to the Town Council. The Town Council is the authority to modify or change the scope of the project.

Mr. Schneider noted the following language: *“The Permanent Municipal Building Committee shall submit change orders and grants/financial assistance documentation to the appropriate authority in a timely manner and with timely notification to the Town Council. The Town Council is the authority to modify or change the scope of the project”* (see text in the highlighted text above). Mr. Schneider stated they have been submitting the Change Orders to the Finance Director for funding and to the State Department of Administrative Services (DAS). However, he stated they have not been submitting the Change Orders to the Town Council.

Councilor Dombrowski stated a letter to the Town Council would serve as notification. Mayor Allyn stated that an Action Letter would serve as a notification. Administrative Assistant Roxanne Maher stated that Executive Assistant Kristen Chapman has been providing Action Letters to the Town Council after each Permanent Municipal Building Committee meeting.

Ms. Maher went on to state that this language has been in the Ordinance since it was initially adopted in 2008, explaining that one of the reasons the Permanent Municipal Building Committee was established was because there were many instances in which former Building Committees made changes, and the proper authority was not notified, such as the State; and therefore, the town was not eligible for the grant reimbursement they had been expecting. She also noted that the Bond Authorization Documents included language that stated to change the scope of the project that the Permanent Municipal Building Committee had to come back to the Town Council for approval.

The Permanent Municipal Building Committee shall at least quarterly report its activity to the Town Council and to the Proposing Body, if applicable; and shall submit a final report upon completion of each project. The Permanent Municipal Building Committee is also authorized to conduct periodic reviews and audits of the physical condition of all municipal and school buildings and grounds, including service equipment and major systems and make recommendations to the Town Council for inclusion into the Town’s Capital Improvements Projects List and should work with the Mayor’s Office and the appropriate boards and commissions and agencies.

Mr. Schneider stated each respective Department should prepare and submit to the Mayor audits of the condition of the buildings. He stated that this was not the work of the Permanent Municipal Building Committee.

Councilor Dombrowski stated this language has been in this Ordinance, since it was initially implemented in 2008. He noted that the Permanent Municipal Building Committee “*is authorized*”. He stated the PMBC was not required to conduct audits of the Municipal Buildings.

Mr. Schneider stated if that was the case, then the Town Council should direct the Permanent Municipal Building Committee to conduct the audit of the building.

Councilor Dombrowski explained the intent of the language was to give flexibility to the PMBC to perform periodic audits of Municipal Properties; and make recommendations to the Town Council about where improvements were needed. Therefore, he stated this language was to allow the PMBC to take the initiative, if they chose to do so.

Mr. Schneider stated the initiative to do so, may require money, etc. Councilor Dombrowski explained then the PMBC would come to the Town Council to present the project and request funding.

Ms. Kate DiPalma-Herb noted that the role of the Board of Education was to set policy, and the Administration executed the policies. She stated within the School Administration they had Director of Facilities and Grounds Mr. Wayne Donaldson, who attends every BOE Facility Meeting and reports on the condition of the schools such as repairs, maintenance, improvements, summer projects planned, etc. She stated all of this was well documented in the BOE Facility Minutes and in their Capital Improving Plan (CIP). She stated certainly if the PMBC had a concern about something in the school buildings that they could find a proper way to address it. She stated that sometimes the PMBC does meet in the school buildings; and that during the active construction of the School(s) Improvement/Consolidation Project(s) (Middle School & Gallup Hill School) that the PMBC took tours of the schools at regular intervals. She stated that she did not know who was the equivalent to Mr. Donaldson for the town.

Mayor Allyn, III, stated that Public Works Director/Town Engineer Steve Masalin has for many years assembled the Building Long-Term Capital Needs Plan, which covered the Senior Center/Parks & Recreation Facility, Town Hall, Town Hall Annex Building, both the Bill Library and Gales Ferry Library, the Gales Ferry Community Center, the Public Works Facility, Transfer Station, Salt Shed, and Washdown Facility.

Chairman Rodriguez stated after the Middle School and Gallup Hill School were opened that Superintendent Jason Hartling gave the Board of Education a tour of the schools; because there were issues with the School(s) Improvement/Consolidation Project(s) (Middle School & Gallup Hill School) that were not being addressed by O&G Industries. She stated after the tour of the schools that she called the PMBC, and they told her that they had not toured the schools. Ms. DiPalma-Herb stated that she has been serving on the PMBC since before the School(s) Improvement/Consolidation Project(s) (Middle School & Gallup Hill School) started and that she could tell them that the PMBC held meetings inside both schools and toured the buildings. Therefore, she did not know who on the PMBC would have told Chairman Rodriguez that they had not been shown or toured the school buildings.

Councilor Dombrowski stated getting back to the Ordinance that the language they were discussing has been in the Ordinance since it was originally implemented in 2008. He stated if the PMBC wanted to visit a school facility or town facility that they would of course schedule a time to visit and not just show up. He stated the language “***The Permanent Municipal Building Committee is also authorized to conduct periodic reviews and audits of the physical condition...***” does not require the PMBC to visit the schools or to conduct audits of the buildings, however, he stated it authorized them to do so, if they chose to.

Mr. Schneider stated the Town Council should direct the Permanent Municipal Building Committee (PMBC) to conduct the audit of the building.

Councilor Garcia-Irizarry stated by having the following language “***The Permanent Municipal Building Committee is also authorized to conduct periodic reviews and audits of the physical condition...***” in the Ordinance that it eliminated some of the bureaucracy, explaining if the PMBC wanted to visit a Facility that they could make arrangements with the Facility and not have to go thru the Town Council to do so. However, she stated if the PMBC wanted to delegate that to the Town Council then they would have to go through a process to do so.

Councilor Dombrowski stated the paragraph they have been discussing stated the following:

“The Permanent Municipal Building Committee is also authorized to conduct periodic reviews and audits of the physical condition of all municipal and school buildings and grounds, including service equipment and major systems and make recommendations to the Town Council for inclusion into the Town’s Capital Improvements Projects List and should work with the Mayor’s Office and the appropriate boards and commissions and agencies”.

Councilor Dombrowski explained this language was authorizing the PMBC to look at the town as a whole, what the facilities look like, whether they were Board of Education Facilities or Town Facilities; and make recommendations to the Capital Improvement Plan (CIP); noting that was the whole point.

Mr. Schneider stated the PMBC never sees the Capital Improvement Plan.

Ms. DiPalma noted that Councilor Dombrowski brought-up an interesting point, noting that perhaps they should try to schedule more joint meetings to work together on these types of issues.

Mayor Allyn stated the Capital Improvement Plan (CIP) was in the budget every year. Councilor Dombrowski stated the PMBC had access to the Capital Improvement Plan like everyone else, noting the CIP was not a hidden document. He stated everything in the Capital Improvement Plan goes to the Planning Commission for approval and then to Town Council to be included in budget to be approved as part of the Annual Budget

Referendum each year. He stated on an annual basis they go through the Capital Improvement Plan; and that this would be the PMBC opportunity to say what should be in the Capital Improvement Plan for maintaining the buildings in the town.

Ms. DiPalma-Herb stated the PMBC has been operating in a silo, and that they were hearing feedback from the Town Council regarding timelines and delays, etc. However, she stated that there was not a lot of communication. She stated this was a good step forward.

Mr. Tyminski stated that it appeared that they were putting the cart before the horse. He stated they already had paid staff (Public Works Director/Town Engineer Steve Masalin and BOE Director of Facilities and Grounds Wayne Donaldson); therefore, they should let these two people look at the facilities and then ask the PMBC to look at the issues that have been identified.

The Group agreed to leave the following paragraph in the Ordinance:

“The Permanent Municipal Building Committee shall at least quarterly report its activity to the Town Council and to the Proposing Body, if applicable; and shall submit a final report upon completion of each project. The Permanent Municipal Building Committee is also authorized to conduct periodic reviews and audits of the physical condition of all municipal and school buildings and grounds, including service equipment and major systems and make recommendations to the Town Council for inclusion into the Town’s Capital Improvements Projects List and should work with the Mayor’s Office and the appropriate boards and commissions and agencies.”

It is understood that the agencies assigned responsibility for specific buildings, grounds, capital, and facilities shall assess, prioritize, seek funding and actively support administration of projects assigned to the Permanent Municipal Building Committee.

The Permanent Municipal Building Committee shall, with assistance from the Proposing Body ensure that projects are completed, including the close-out of required reports, in a timely manner.

Section 6. Spending Funds

The Permanent Municipal Building Committee may expend such funds as the Town Council, or if required the Town Meeting, may appropriate to carry out its duties as described herein. There shall be no intermingling of funding between projects.

Section 7. Definitions:

For the purpose of this Ordinance, the following definitions shall apply:

- 1) “Major maintenance” shall include capital building/improvement projects and projects that are capital in nature; that is, having a useful life of five or more years.

“Major maintenance” shall not include routine maintenance and upkeep of a building or other structures, or its service equipment, which is performed on a regular basis.

2) “Service equipment and major systems” shall include boilers, elevators, generators, HVAC systems, septic systems, fire alarms, electrical service including wiring and fixtures, major plumbing service, building skin (roofs, gutters, masonry, windows, exterior paint, floor covering, etc.) It shall not include information system technology (computers and computer systems).

3). “Proposing Body” means the Town of Ledyard appointed or elected board or commission sponsoring or requesting a construction or major maintenance project or for a project initiated by the Permanent Building Committee itself, the board or commission whose facility would be the recipient thereof.

Section 7. Severability

If any provision of this Ordinance shall be held invalid by a court having competent jurisdiction, such invalidity shall not affect any of the other provisions of this Ordinance that can be given effect without the invalid provision and for this purpose the provisions of the Ordinance are hereby declared severable.

Section 8. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

Amended, Adopted and Renumbered by the Ledyard Town Council on: _____

S. Naomi Rodriguez, Chairman

Approved/Disapproved on: _____

Fred B. Allyn, III, Mayor

Published on:

Effective Date:

Patricia A. Riley, Town Clerk

Revisions: Ordinance #119 “An Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard” Adopted March 26, 2008; Ordinance #138 “An Ordinance Amending an Ordinance Establishing a Permanent Municipal Building Committee for the Town of Ledyard: Adopted June 24, 2015; Effective: July 31, 2015; **Ordinance renumbered from Ordinance #138 to Ordinance #100-015 as part of the Town Council’s 2017-2019 Ordinance Update Initiative; September 25, 2019.**

History:

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #138 to Ordinance #100-015.

2015: Removed the project threshold of \$25,000 requiring all capital building/improvement projects and projects that are capital in nature; that is, having a useful life of five or more years be assigned to the Permanent Municipal Building Committee.

2019: Title – Removed “Ordinance Amending” – Per Town Attorney not required. Section 4 added language regarding members attendance relative to resignation/replacement. Removed Section 9 “Cancellation” - Per Town Attorney the “Cancellation Section” was not needed. The “Revisions” and “History” paragraph indicates that the previous ordinance has been updated and replaced. Added new Section 9 “Effective Date” to be consistent with Town Ordinance format

2024:

Section 2 “Purpose” Paragraph 1 replaced the word ~~major~~ with “select” and Added Paragraphs 2 – 6.

Section 3: “Membership” Added: Public Works Director, Board of Education Director of Facilities and Grounds. Also, the following language was added for clarification: “Board of Education Temporary Members shall be appointed by the Town Council”.

Section 5 “Powers and Duties”:

Paragraph 2- The following language was replaced: ~~The Permanent Municipal Building Committee is authorized to interview architects and/or engineers for the purpose of planning, designing, building and completing municipal building projects, and based on said interviews and cost estimates, to hire suitable candidates.~~ *“When an Owner’s Representative is required for the project, the Permanent Building Committee shall provide a recommendation for the hiring of an Owner’s Representative prior to selecting the architect and/or engineer so that the Owner’s Representative may assist with the development of the Request for Proposal, the selection process, project control budgets, project schedules, contracts and other material necessary to properly solicit comprehensive proposals by interested firms”.*

Paragraph 3: Replaced: ~~cost estimates~~ with “budgets” Also added: *“However, when an Owner’s Representative is required, the Owner’s Representative shall be responsible for drafting such schedules and budgets. The Owner’s Representative shall also be responsible for developing a project cash flow projection for review by the Town Director of Finance*

NEW Paragraph 4

Paragraph 5 Added the following language: except for school construction grants through the Department of Education. Such grant applications are the responsibility of the Superintendent of Schools and the Board of Education.

Councilor Garcia-Irizarry thanked the Permanent Municipal Building Committee for their questions, comments, and recommendations, noting that they had a good discussion this

evening. She stated because they had a Special Town Council Meeting scheduled at 6:30 p.m. this evening that they would have to wrap up their discussion. However, she asked that if they had any additional comments or suggestions to forward them to her and to Administrative Assistant Roxanne Maher.

RESULT: CONTINUED

Next Meeting:09/11/2024 5:30 p.m.

V. ADJOURNMENT

Councilor Dombrowski moved the meeting be adjourned, seconded by Councilor Garcia-Irizarry.

VOTE: 2 - 0 Approved and so declared, the meeting was adjourned at 6:26 p.m.

Respectfully submitted,

Carmen Garcia-Irizarry
Committee Chairman
Administration Committee