

School Building Committee

Wednesday, May 20, 2020

7:00 p.m.

***Virtual Meeting Pursuant to Governor Baker's March 12, 2020
Order Suspending Certain Provisions of the Open Meeting Law**

Present: Chris Fasciano, Chair; Kim Bodnar, Vice Chair; Tim Christenfeld; Buck Creel; Jennifer Glass; Michael Haines; Gina Halsted; Sharon Hobbs; Becky McFall; Tara Mitchell; Craig Nicholson; Steven Perlmutter; Peter Sugar; Doug Adams, liaison, Historical Commission; Owen Beenhouwer, liaison, Community Center Committee; Andrew Glass, liaison, Historical Commission; Ed Lang, liaison, Green Energy Committee; Dan Pereira, liaison, Parks and Recreation; Owen.

Absent: Doug Adams, liaison, Historical Commission; Chris Dugan, liaison Conservation Commission; Gary Taylor, liaison, Planning Board. Ian Spencer, liaison, Public Safety.

Also Present: Rob Ford; Andy Payne; Alice Waugh; Jim Cunningham.

Welcome: Chris Fasciano, Chair, brought the meeting to order at 7:03pm. He took roll call attendance and indicated that the meeting is able to occur via video conference in accordance with the Governor's order of March 12, 2020. He reminded the group that all votes would be taken by roll call. He noted that the main objective of the meeting is to determine how to structure the motion for the June 13th Town Meeting.

Update on Town Meeting: Jennifer Glass provided an overview of Town Meeting planning.

- The Selectmen voted this morning to sign the warrant, and the Moderator made the official declaration naming June 13th as the date.
- The warrant and supporting materials go to the printer tomorrow and will be mailed out to residents on June 1st.
- The Moderator, Finance Committee, and other presenting committees will post presentations on the Town website, www.lincolntown.org as soon as possible, and the same groups will be offering virtual public forums between June 4th and June 9th.
 - Kim Bodnar asked about the seating arrangements. Michael Haines said that the tent can hold up to about 150 people with the recommended social distancing.
 - Owen Beenhouwer asked if one can attend virtually. Details about streaming are being worked out, but state law does not allow remote voting.

Review of May 19th Finance Committee Meeting: Mr. Fasciano said that a number of people from the SBC attended the FinCom meeting and he provided an overview.

- The Finance Committee agreed that the \$629K request to fund seven items fit within Free Cash guidance and could be placed on the warrant. They have not yet deliberated about whether or not they will explicitly endorse the expenditure.
- FinCom also approved inclusion of the \$200K request for FF&E from Free Cash on the warrant.
- Andy Payne, Chair of the Finance Committee, noted that both items fit within the Free Cash guidance of \$840K for FY21. The meeting is available for review online.
- Peter Sugar noted that he had sent a memo from a colleague regarding costs in the COVID era. Their opinion is that construction schedules could slip and there could be costs. He wondered if FinCom has discussed this information. Mr. Payne said that FinCom has always expressed concern about risk and contingencies and he reinforced that this is always something FinCom pays attention to. Mr. Payne said that speaking for himself, it is premature for FinCom to take financial action at this time. First, FinCom would want to hear from the SBC.
 - Mr. Sugar said that he did not want FinCom to take action now but encouraged FinCom to think about potential financial impact. Mr. Payne said that there would be a lot of work on the part of SBC before getting to that point.
 - Mr. Fasciano said that he had shared the memo with Buck Creel as the Construction Logistics group would be the first group to consider COVID-related costs.

- Mr. Creel reminded the committee that we have a specific clause in the Guaranteed Maximum Price (GMP) that caps the exposure to \$425K. There is a specific process by which Consigli would identify COVID expenses through the change order process.
- Tim Christenfeld underscored the importance of the clause that was negotiated. He said that Mr. Sugar is right to raise the issue, but feels that because we have the clause, the slippage of schedule is the bigger risk.
- Ms. Bodnar asked Mr. Creel if scheduling delays are considered COVID-related. Mr. Creel said each request would need to be evaluated on its merits. The construction team is sensitive to this.
- Mr. Christenfeld also noted that not all schedule delays cause a cost increase.
- Mr. Sugar said that there is another scheduling issue, which is that it could expand the time that students are in the temporary school. Superintendent Becky McFall said that the good news is that we own the modulars and they are a perfectly viable place for students. Mr. Creel said that we have experience with moving students in the middle of the year.
- Steven Perlmutter said that Mr. Sugar's description indicates that there could be a large exposure and he would not be surprised if Consigli pushed back at times. We want to ensure a good relationship with Consigli and want to avoid litigation. He thought we should be clear-eyed about the fact that the contingencies are likely to be used up.

Review, discuss and finalize plans for funding request at Town Meeting. Mr. Fasciano said that the new piece of information from FinCom is that both our requests can come from Free Cash. The SBC must decide whether to put forth one or two motions. There could be one motion for the entire \$829K, or two motions, one for the \$629K and one for the \$200K of FF&E.

- Dr. McFall said that the discussion at FinCom had led her to think that we should consider one motion.
- Gina Halsted said that no matter how we package the items, we need to be clear that the need for FF&E funds will not go away.
- Mr. Fasciano said that he agrees with Dr. McFall and that it makes sense to ask for one vote from Free Cash. Ms. Bodnar said that she does not want to make FF&E seem as though it is less urgent. She also supports asking in one motion.
- Mr. Beenhouwer noted that we've been working for years on this project. He was discouraged that we had to further reduce the request down from the \$2M discussed. He asked if we really need to take the money out of Free Cash. Could we borrow additional funds? He figures that borrowing about \$1.5M would result in another \$5/person. He thinks it's a mistake to ask for more by reducing the Town's contingencies.
 - Ms. Glass noted that there is not time to ask for bonding. That requires a 2/3 vote at Town Meeting followed by a majority at the ballot. The deadline for printing the ballot is past.
 - Mr. Payne said that FinCom has discussed bond rates. The current market is choppy and uneven and even more so for small bonds. He did note that the SBC could consider an opportunity for bonding other items in the future. Mr. Beenhouwer said that he thought we should be clear to the town that we are sacrificing quality of the project.
- Mr. Sugar asked if there is any kind of fallback if the items fail. He suggested keeping in mind the idea of taking funds out of contingency and then try to backfill them at a subsequent town meeting.
- Mr. Christenfeld said that if we go through the process and the article is defeated, we would be on shaky ground if we went ahead and included the items anyway; it would seem undemocratic.
- Mr. Creel said that his observation is that taking an action against the will of the town would go against the way boards operate.
- Mr. Perlmutter wondered what the procedure is if an amendment is allowed. The usual amendment process will remain in place.
 - **MOVED:** Mr. Christenfeld moved that the SBC ask the School Committee to proceed with one motion for \$828,945. Tara Mitchell seconded the motion. The motion was approved unanimously by roll call vote: Bodnar, aye; Christenfeld, aye; Creel, aye; J. Glass, aye; Haines, aye; Halsted, aye; Hobbs, aye; McFall, aye; Mitchell, aye; Nicholson, aye; Perlmutter, aye; Sugar, aye; Fasciano, aye; Beenhouwer, concur; A. Glass, concur; Lang, concur; Pereira, concur.
- Mr. Fasciano reported that FinCom has asked about whether the SBC will come back to the town in the future. He said that this is hard to determine at this time. He told FinCom about the remaining items

that had been identified, and he laid out which ones we could consider in the future and what possible funding sources might be.

- FinCom asked when we would need to ask in an “ideal world.” Mr. Fasciano said that looking forward, there are a variety of scenarios. Economic factors and town finances will guide us as we move forward.
- Ms. Glass said that it is important to be transparent about what has been left on the table, and that it is premature to know how we might proceed in the future.
- Mr. Perlmutter agreed with the approach and asked whether that should be laid out in the FAQ memo. He thinks it is a question that residents will have, and that we need to be up front with people.
- Mr. Christenfeld said that we need to say that the fact we are doing this project now does not mean there will be no future requests in the future.

Public Participation: None

Outreach Update:

- Ms. Bodnar announced that Outreach is meeting on May 21st at 11:30am via Zoom.
- The group will prepare the blog post for this week and map out the flow of information for the following weeks leading up to Town Meeting.
- They are also working with Mr. Fasciano on the SBC’s presentation and planning for virtual public forums. Ms. Glass said that she is proposing that the SBC use the same formula that it did for its previous public forums: one morning and one evening session, a brief overview of the guidance from FinCom, and a presentation by the Chair followed by a conversation with the public. She proposed one session on Thursday, June 4th at 10:30am and one on Monday, June 8th at 7:30pm and asked for Committee feedback.
 - Rob Ford said that the schools do have the Zoom webinar function, if that is helpful.
 - Dr. McFall said that she could be available at 1:00pm on the 4th and asked if the evening on the 8th could be at 8pm.
 - Outreach agreed to plan on those times.
- Ms. Bodnar said that the Outreach Team has started brainstorming about a virtual groundbreaking.
- This evening the SBC is asked to give consent to include the FAQ document drafted by Outreach as a mailer to be included with the Warrant.
 - Tim Christenfeld noted that we’re dealing with a few issues in the FAQ and we may want to break them out. There is a set of questions about “will we be back,” one about “what are the cost controls” and also a set of questions about the items we’re asking for.
 - Mr. Nicholson suggested paring down the information about the requests. Need to highlight the challenges and disadvantages of a phased renovation vs. a clean new-build project. With the budget we have we were able to achieve most of what Items that, if we don’t do them now, we will have to come back and risk higher prices. There may be more to come.
 - Ms. Mitchell suggested two different pages: one for the vote; one for other types of questions.
 - Mr. Perlmutter feels the memo can be shortened. He thought the points Mr. Fasciano made about whether we’ll be back were good. The short answer is that we believe in the importance of the items we cannot bring to you today and we feel it is in the interest of the town and school to try to include them. If we think it is appropriate and looking at financial context we will explore the ability to fund them in a variety of ways. We should focus on what are we voting on and why those items are important.
 - In response to the question about future costs, Mr. Creel said that he had asked Daedalus to do an analysis for 5 years out. The escalation factor is higher than inflation. Some of those items require demolition of prior work and then restoration of new finishes.
 - Mr. Sugar said that he is concerned we are heading into an area we can’t explain easily. We don’t know what the market will look like in five years, but that what really drives the project is the educational philosophy that shapes our plans. Mr. Creel concurred. Right now, we have definite prices and we can accomplish the work now for those dollars. Beyond that, we know it will cost more in the future.

Approve Minutes from May 13th Meeting: Ms. Glass screen-shared the minutes and noted a few edits.

- **MOVED:** Mr. Sugar moved the minutes of May 13th as amended. Mr. Nicholson seconded the motion and the minutes were approved unanimously by roll call vote: Bodnar, aye; Christenfeld,

aye; Creel, aye; J. Glass, aye; Haines, aye; Halsted, aye; Hobbs, aye; McFall, aye; Mitchell, aye; Nicholson, aye; Perlmutter, aye; Sugar, aye; Fasciano, aye; Beenhouwer, concur; A. Glass, concur; Lang, concur; Pereira, concur.

Discussion of other Topics: None

Adjournment: MOVED: Mr. Nicholson moved to adjourn. Mr. Christenfeld seconded the motion and the motion was approved unanimously by roll call vote: Bodnar, aye; Christenfeld, aye; Creel, aye; J. Glass, aye; Haines, aye; Halsted, aye; Hobbs, aye; McFall, aye; Mitchell, aye; Nicholson, aye; Perlmutter, aye; Sugar, aye; Fasciano, aye; Beenhouwer, concur; A. Glass, concur; Lang, concur; Pereira, concur.

The meeting was adjourned at 9:06pm.

Minutes respectfully submitted by Jennifer Glass

Remote Participation Protocols:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 12, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Lincoln School Building Committee will be conducted via remote participation to the greatest extent possible.

Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of Lincoln website, at www.lincolntown.org.

Meeting ID: 947 3945 8028

Password: 972418

Our remote meetings will be broadcast live on Comcast channel 8 and Verizon channel 33 and is available through the web at <https://lincolntv.viebit.com/?folder=ALL>

No in-person attendance of members of the public will be permitted but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the order. In the event that we are unable to do so, despite best efforts, we will post on Town of Lincoln website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible.