

9/84

MINUTES OF A SPECIAL MEETING OF THE MIDDLETOWN REDEVELOPMENT AGENCY HELD ON SEPTEMBER 20, 1984

PRESENT: Novicki, Chairman
Kelsey, Vice Chairman
Raczka, Secretary
Campbell
Makrogianis
Shapiro (arrived after Item 6 on the Agenda)

ALSO PRESENT: Haze

Chairman Novicki called the meeting to order at 5:00 P.M. for the purpose of acting on the agenda items as formally posted with the Town Clerk. (see copy attached)

With five members in attendance, a quorum was declared present for the meeting.

The minutes of the September 4, 1984 meeting were unanimously approved on motion by Mrs. Campbell, seconded by Mr. Raczka.

The agenda items were fully discussed and explained individually and the following actions were taken:

Agenda Item 1. A motion was made by Mr. Makrogianis to authorize a check to the City of Middletown in the amount of \$1,420.74 from the Project Expenditures Account - CBT - to close out the account. The motion was seconded by Mr. Raczka and unanimously approved.

Agenda Item 2. A motion was made by Mr. Makrogianis to authorize a check to the City of Middletown in the amount of \$20,404.05 from the Escrow Account - Home Bank - to close out the account. The motion was seconded by Mr. Raczka and unanimously approved.

Agenda Item 3. A motion was made by Mr. Kelsey to authorize the final payment of \$727.50 to United International Corporation, Mr. B. P. Neelakantiah, for technical services provided in analyzing utility bills in accordance with an agreement approved by the Agency on 11-17-83. The motion was seconded by Mrs. Campbell and unanimously approved.

Agenda Item 4. On recommendation from Mr. Haze, a motion was made by Mrs. Campbell to dedicate the remaining Agency office equipment located at City Hall and Spencer School (and supplies) to the City of Middletown at no cost. The motion was seconded by Mr. Raczka and unanimously approved.

Agenda Item 5. On motion by Mr. Makrogianis, seconded by Mr. Raczka, the Agency unanimously approved the concept of a proposal for the Middlesex Memorial Hospital to lease YMCA land for common parking and to recommend favorable consideration by the City of Middletown when the formal application and site plan are submitted.

Agenda Item 6. Mr. Haze reported receiving a last minute call from the Finance Department that the Mayor must approve the carryover of vacation time. Mr. Raczka then made a motion to authorize 10 days of unused vacation during the 1983-1984 fiscal year to be carried over to the 1984-1985 fiscal year for the Executive Director, Mr. Haze, subject to the approval of the Mayor. The motion was seconded by Mr. Makrogianis and unanimously approved.

Mr. Shapiro arrived at this point of the meeting at approximately 5:15 P.M.

Agenda Item 7. In discussion of this agenda item, Mr. Raczka recommended that the Blue Cross, CMS, and Major Medical coverage for Mrs. Duda and Mr. Haze be carried for 6 months after termination.

After full discussion by the Agency members, a motion was made by Mr. Raczka, seconded by

Mr. Makrogianis to approve the carrying of Blue Cross, CMS and Major Medical insurance coverage for Mrs. Duda and Mr. Haze for 6 months from termination at a monthly cost of \$477.54 per month. The motion was unanimously approved.

Agenda Item 8. Mr. Haze reported his recommendation to transfer the Agency owned historic material to the Middlesex County Historical Society for a program to research, organize and catalog material for future public display. This recommendation was made after discussions with Mr. Porter at the library, Mrs. Cunningham at the Preservation Trust and others experienced with archaival research and preservation of material.

Mr. Haze explained that all active files for the Metro South Project Conn. R-105, the Center Street Project Conn. R-19 and material which by HUD rule must be preserved for 3 years from the closeout of the federal grant program, must be retained by the City for active use. He recommended that the City be requested to transfer these files at the expiration of 3 years to the Middlesex County Historical Society to be included in the same program of research, organization and cataloging of material for the future public display.

In further discussion, it was suggested that an agreement be executed with the Middlesex Historical Society to control any future disposition of this material in the event that it no longer could be stored at the Historical Society.

A motion was then made by Mr. Shapiro to authorize the Executive Director to enter into an agreement with the Middlesex County Historical Society concerning the future disposition of historic material hereby authorized to be transferred to the Middlesex County Historical Society for a program to research, organize, catalog and preserve this material for future public display and to recommend that the City of Middletown be requested to transfer the remaining files, records, and material of the Redevelopment Agency to the Middlesex County Historical Society when these files, records and material are no longer active and required by HUD to be retained in accordance with OMB Circular A-102 (Revised 3/82), Attachment C.

The motion was seconded by Mr. Raczka and unanimously approved.

Agenda Item 9 (a). Mr. Haze reported the completion of final Change Order #4 which is prepared on the basis of the actual quantities of material and work used by the contractor to complete Site Improvement Contract No. 4 - J. M. Rosa Construction Co., Inc. The net result of Change Order #4 is a decrease in the contract price of \$82,780 for the Agency share and a decrease of \$3,657.86 for the City share.

These net figures are based on the records provided by Cahn, Inc. in their daily log; quantity and unit price record and the monthly payment requisitions for completed work up to September 20, 1984. The adjustments have been reviewed and accepted by the contractor.

A motion was made by Mr. Raczka, seconded by Mr. Makrogianis and approved by all members, except Mrs. Campbell who abstained from voting, to authorize the execution of final Change Order #4 resulting in a net decrease of \$86,437.86 from the original contract price as bid of \$1,333,073.00.

Agenda Item 9 (b). Mr. Haze explained a final Change Order Adjustment for incomplete and corrective construction work on Site Improvement Contract No. 4, J. M. Rosa Construction Co., Inc. which will be done by the City of Middletown. The cost estimates for this work have been accepted by Mr. Bauer, Public Works and Mr. Grimes, Water and Sewer and accepted by the contractor. In addition, the contractor has agreed to a deduction of \$8,398.99 for an unpaid bill from the Middletown Police Department and has authorized direct payment of this bill by the City. The total amount of adjustment to be deducted from the contract retainage held on SI-4 is \$12,248.99 for the Agency portion of the contract.

A motion was made by Mr. Raczka to approve the final Change Order Adjustment for unfinished

work and unpaid Police Bill in the amount of \$12,248.99. The motion was seconded by Mr. Makrogianis and approved by all members present, except Mrs. Campbell who abstained from voting.

There was no unfinished work on the City portion of the contract.

Agenda Item 9 (c). A report on the total adjusted retainage and completed work payable for the Agency and City portions of the SI-4 contract was distributed and discussed by Mr. Haze. (See copies attached.)

The retainage held by the Agency on SI-4 is \$60,158.25 which represents 5% of the amount of completed work earned through Requisition #16.

The contractor has authorized and agreed to the following deductions to be made from the retainage held:

1. Work to be done by City and Police Bill (See Agenda Item 9b above) - \$12,248.99
2. Redevelopment Agency claim for contract completion overtime - \$10,000
3. C. M. Burr Management - Representing Wesleyan University for 204 College Street sewer connection work which was the responsibility of the contractor - \$7,174.60

Completed work payable for work completed after Requisition #16 + \$1,675

The final retainage and completed work payable for the Agency portion of the contract is \$32,409.66.

The total retainage held on the City portion of the contract is \$3,376.86. There are no deductions from this amount, which results in a total retainage payable of \$3,376.86 for the City portion of the contract.

A motion was made by Mr. Raczka to approve the payment of adjusted retainage and completed work payable in the amount of \$32,409.66 for the Agency share and the amount of retainage payable for the City share totaling \$3,376.86, subject to the receipt of a signed final change order which contains a release of all claims by the contractor against the Agency and the City and a letter accepting the final amounts of adjusted retainage for payment. The motion was seconded by Mr. Makrogianis and approved by all members present except for Mrs. Campbell who abstained from voting.

Agenda Item 10. A schedule of termination benefits payable to Mrs. Duda and Mr. Haze in accordance with Agency and City policy and procedure was presented for discussion.

A motion was made by Mrs. Campbell to pay for the vacation pay due, longevity, 50% sick leave and 1 (one) unused personal day for Mrs. Duda in the total amount of \$6,555.57 and the amount of \$14,668.65 for Mr. Haze for vacation, longevity and 50% sick leave. The motion was seconded by Mr. Kelsey and unanimously approved.

Mr. Shapiro made a motion to waive the rules to consider additional items to be added to the agenda. The motion was seconded by Mr. Raczka and unanimously approved.

Additional Agenda Item 11. A bill from the Velleca Construction Corp. for cost plus work done at the intersection of Main Street and College Streets in December, 1982 was presented for discussion. Mr. Haze recommended that the bill for \$971.07 be disapproved by the Agency on the basis of a memo from Mr. Dick Favreau, Cahn, Inc., that the bill is a matter between J. M. Rosa Construction and the Velleca Construction Corp.

A motion was made by Mr. Kelsey to disapprove the bill of \$971.07 from the Velleca Construction Corp. The motion was seconded by Mr. Shapiro and unanimously approved.

Additional Agenda Item 12. The request for payment of retainage held on SI-5 King Contractors, Ltd. was presented for discussion. Mr. Haze recommended that the amount of \$1,575 retainage held on SI-5 be disallowed for payment. The reason for rejection of this bill is that the Main Street trees that were questionably healthy have not fully matured and also because the Agency incurred additional engineering costs to supervise incomplete punch list items as noted in Mr. Haze's memo dated 12-31-81.

A motion was made by Mr. Shapiro to disapprove the payment of \$1,575 requested by King Contractors, Ltd. for retainage held on SI-5. The motion was seconded by Mr. Raczka and unanimously approved.

A letter from Mr. John Bradley reporting his intent to instigate legal action against the Agency in connection with the Yacht Club was presented to the Agency. Mr. Haze was instructed to forward the letter to the Mayor for disposition.

Mr. Haze presented a cash flow projection for remaining estimated costs as of September 1, 1984. The funding resources from the city loan, bank accounts and other resources total \$114,029.79. Estimated expenditures, including matters in legal appeal and review, are expected to be less than the total resources of \$114,029.79 available to complete the closeout of the Redevelopment Agency activity as of September 30, 1984.

The Agency members were reminded of the invitation to attend the September 24th meeting of the Municipal Development Committee.

There being no further business, the meeting was adjourned on motion by Mr. Shapiro, seconded by Mr. Kelsey and unanimously approved.

Respectfully submitted,