

West Elementary School Building Committee Minutes

Thursday, June 11, 2020 – 7:30AM

Participating via remote

Access Voting Members:	Chair-Paula Colby-Clements, Shelley Berman, Andrew Flanagan, Rick Almeida, Heather Eigen, Jennifer Hunt, Susan McCready, Janet Nicosia, Siggie Pfendler, Paul Rollins, Elizabeth Roos, Donna Walsh
Non-Voting Members:	Mark Johnson, Esq., Tracey Spruce, Esq., Paul Szymanski
PMA Consultants (remote):	Kevin Weeks, Brian DeFilippis
SMMA Architects (remote):	Lorraine Finnegan, Steve Rusteika
Special Guest:	Paul Puzanghera, Chief Information Officer – Town and School

West Elementary School Building Committee Chair (SBC), Paula Colby Clements, opened the meeting at 7:33AM. Because of the emergency state of government due to Covid-19, all SBC members are participating via Webex. All votes will be taken by roll call at this meeting.

Approval of Minutes; Approval of Invoices and Change Orders. Vote expected

On a Motion made by Shelley Berman and seconded by Susan McCready, the West Elementary School Building Committee approved the May 14, 2020 meeting minutes. On a roll call vote, the motion for the May 14, 2020 meeting minutes was approved on a 12-0 vote.

The Chair submitted for payment approval- Invoice from PMA Consultants #04303-13 dated June 4, 2020 for the amount of \$16,322.52 for professional services May 1-May 31, 2020. *On a Motion* made by Liz Roos and seconded by Shelley Berman, the West Elementary School Building Committee approved the PMA invoice read by the Chair today. The motion was approved on a roll call vote 12-0.

The Chair submitted for payment approval - Invoice from SMMA Architects #52978 dated June 4, 2020 for the amount of \$20,000 for professional services from May 2-May 29, 2020.

On a Motion made by Sheldon Berman and seconded by Paul Rollins, the West Elementary School Building Committee approved the SMMA invoice read by the Chair today. The motion was approved on a roll call vote 12-0.

PSR Update – Lorraine Finnegan

The Chair reminded the public that there was supposed to be a meeting with MSBA on June 3rd, but the meeting was postponed to a later date.

Brian DeFilippis: The PSR was submitted on May 6 with comments back from MSBA on May 29th. There was a follow up call on May 27th before the originally scheduled FAS meeting. MSBA stated they couldn't back the mechanical penthouse due to the grossing factor [net sq. footage vs gross sq. footage] (all essential spaces needed to make up a room). MSBA caps the grossing factor at 1.5, which is reasonable, but seems unreasonable that a mechanical penthouse can be factored into those numbers. Ms. Finnegan said they would not even allow a district to have it even though the district will pay for it. As a result of these discussion, the Team decided to pull out of the June meeting and now we will be attend the July 22nd FAS meeting with a MSBA Board meeting on August 26th.

Janet Nicosia: We found out so late in the phase and there were no comments about the penthouse up until right before the presentation. MSBA verified how strong they felt about not having this. Other districts are also in the same state. This is brand new for the mechanical penthouse to be disqualified at this stage. There is a mechanical penthouse at High Plain, Wood Hill, and Bancroft. When there is a problem with the unit, there is some safety for maintenance to work on the equipment in the outdoors during inclement weather. It is simply a covering over the mechanical equipment to protect the

equipment and workers. You can't enclose the equipment after the fact because you would purchase a different type of equipment in the first place – one that is already protected vs one that doesn't have a weather proof enclosure. The question on the costs of maintenance does present a problem which would be costly over the long term.

The Fact Sheet that the Team created on mechanical penthouses will be the basis for the Superintendent to use in a letter he will write to the MSBA. The Superintendent also has reached out to Senator Barry Finegold to seek his assistance with this issue and the MSBA. It seems that other districts are having the same problem and we need to address the problem presented by MSBA in not allowing these to be built for new structures.

Dr. Berman added he wanted to see how we could appeal to the MSBA in changing their decision by pointing out the rationale behind having the mechanical penthouse. Ms. Spruce pointed out that the Fact sheet talks about MSBA rules and regulations and wondered where that information came from. Ms. Finnegan stated that that MSBA always gives out project advisories - but there is no specific advisory to be found on this topic. Mr. Johnson also asked if we could find out when the MSBA made the change on the mechanical penthouse and if we could see what other projects have done in the past 12 months. He said that the grant program states that not all expenses are covered, so the district should be able to pay for it and take it out of the grossing factor. Ms. Finnegan said that the MSBA looks at how they are treating the space and it's not just about the district covering the costs. She also reminded the Committee that it's the MSBA's grant program so they will set these rules. Dr. Berman said that MSBA should be implementing best architectural practices, such as a mechanical penthouse.

Ms. McCready stated the mechanical penthouse seems to be the environmentally and fiscally responsible option. Ms. Nicosia also added that it shouldn't be a case of having education space vs. maintenance space.

Ms. Spruce asked what would come out if we had to take out educational space for the mechanical penthouse. Ms. Finnegan said there was no straight answer, but it most likely would mean tighter corridors, no learning commons, etc. They wouldn't know until schematic design. Dr. Berman said that if we built the penthouse now it would mean 12,000 sq.ft. would need to be removed. Also Ms. Spruce asked is there any argument that this seems to be arbitrary and capricious and not based on past practice. Ms. Finnegan clarified that it is actually 8,000 sq.ft not 12,000 sq.ft.

Ms. Finnegan said it is a non-starter, the authority is the Board and it's not in writing anywhere. She thinks it is going to be a "take it or leave it" response. The flexitorium isn't eligible for reimbursement and can be paid by the district, but it is also counted in the 1.5 grossing factor.

Dr. Berman said Peter Light, Superintendent of Acton said that their district was told that they need to remove the penthouse from their project. It had been originally approved. They are not sure if they will do this because they are farther along in their project. Dr. Berman shared the fact sheet with Peter.

Next steps: the Committee will need to make a decision by July 8th to be on the July 22nd presentation. Also, comments need to be submitted by Friday, June 12th showing what it's included in the 1.5 sq. footage as well as acknowledging what will not be MSBA reimbursable.

Ms. Finnegan: MSBA wants the district to relocate 6 PreK classrooms to the Core Academic; accepting 8 K classrooms, variation of 35 general ed classrooms, acknowledging 2 stem classrooms, some neighborhood commons partial, ELA, literacy suite, 2 coaches areas; the SPED areas are being deferred to DESE for review. However, they want us to move the multi-purpose room out, PreK library, kitchen, café, nurses' suite, admin, etc. all spaces associated with Prek are not reimbursable. Also they are not reimbursing the Welcome Center, admin area – that is a lot of square footage MSBA is not reimbursing - Square footage just for PreK alone is 12,000 sq feet.

The Committee's response should say that the PreK space will be acknowledged and moved to the Other category. If the spaces in the SPED program are reimbursed that would be about 14,000 sq. ft about 2/3rd.

Dr. Berman stated the PreK is critical to the program and perhaps we can tighten the area. Ms. Finnegan reminded members that we can have the space but it won't be reimbursed. Ms. Finnegan will send this document with the Committee.

Before schematic design, the Team needs to know what is in or what is out – same rules apply to the Pre K building. The deadline would be by July 22nd.

Ms. Spruce brought up the knowledge of still having the AHS project to do, how much can be decided on costs. It is the responsible thing to do to think of all the costs associated with both projects. Ms. McCready agreed that the SC will need to have a good understanding of what it is and what will be reimbursed vs the district costs.

Ms. Finnegan added we could have a cost analysis spread sheet on what the costs would be for these spaces. Dr. Berman added that Carol Green, Dr. Stetson, Heather Eigen and Jenn Hunt should meet with the architects to discuss what can be done, what is important at the PreK program and bring the results to the Committee.

Dr. Berman did say the good news is it looks like MSBA seems to acknowledge that the PreK is in the project. Perhaps we can categorize items in a spreadsheet: what's essential, what we like to have and what we can do without.

The Chair said for next steps seem to indicate that we need to make some of these decisions at the June 25th SBC meeting for the July 8th meeting. Mr. DeFilippis responded that we should have the PreK meeting next week so we can figure out the course of action. Ms. Colby Clements updated the Committee on her research for auditorium space in the Community. Although there is a demand there for auditorium space for community uses (recitals, dressing rooms), the flexitorium wouldn't meet that demand because it may be smaller and there would be some requirement of working the space to make it work. Also Town of Andover hasn't updated their town rentals information, so there would have to be some work done to update those policies and raise fees for new revenue stream.

The Town Manager believed there could be a study to see what that offset to see what that new revenue stream may be. But revenue alone may not be enough of a factor.

Next Steps: Dr. Berman thinks it would be helpful to recraft the Fact Sheet to ask them to review the MSBA's decision and at the same time send the Fact Sheet to Sen. Finegold and others. The Town Manager, Mr. Flanagan, doesn't believe at this time that the Governor would be involved. He does agree with a letter sent to MSBA and set a deadline on the School Building Committee's decision.

Dr. Berman stated there is no documentation on what rationale is used from MSBA to base their decision on the mechanical penthouse. The OPM, PMA, will request this information. Dr. Berman would like to include this information in the letter he is crafting. He also requested help from the attorneys on the SBC to make sure the legal argument. Atty. Johnson also wants to know when the change came about and trying to understand rationale behind the decision. In a worst case, the district understands that they would pay for it themselves.

Discussion of web design and social media to inform citizens

Ms. Colby Clements told the Committee there was a meeting on web design/social media with the Communications Director, Nicole Kieser. One of the documents discussed is the FAQ which will be put up on the website. A discussion on holding a public forum for the future and holding it live would be

preferable if possible. Both Ms. Hunt and Dr. Berman said that a webinar could be set up as this is the format we have used in all our administrative searches during this time.

Both Ms. Finnegan and Mr. DeFilippis thought hosting a mid-day or evening forum would be a good idea and the Chair concurred it would be good to do something in July. Ms. Finnegan said that if we could hold the forum before the July 22nd meeting, it would be best.

Selection of Next SBC Meeting date(s) and main subject.

The Committee will meet on June 25th and will make decisions on Flexitorium, Pre-K components, and when the Public Forum will be held in July. Mr. DeFilippis will get more info from the MSBA and will share it with Dr. Berman for the letter he is writing to MSBA.

Adjourn

On a Motion made by Sheldon Berman and seconded by Liz Roos, the West Elementary SBC voted to adjourn the meeting of June 11, 2020 at 9:15am. On a roll call vote, the Committee voted 12-0 to adjourn.

Respectfully,
Alison Phelan, Recorder

CERTIFICATION

Town Clerk and Chief Strategy Officer
Austin Simko

Date:

Town Stamp: