PUBLIC BUILDING COMMITTEE

TOWN OF SIMSBURY

Minutes of the Regular Meeting
July 13, 2026
Subject to Approval

There being a quorum present, Chair Derr called the Regular Meeting of the Public Building Committee to order at 7:00 p.m., which was conducted in person in the Board of Education Conference Room at Simsbury Town Hall and via Zoom.

PRESENT

☐ Mr. Ryan Burns
☐ Mr. William Clegg
☒ Mr. Richard Derr
☒ Mr. Lucian Dragulski
☐ Mr. Michael Egan
☒ Ms. Dagny Griswold
☒ Mr. David Moore
☒ Mr. John Salvatore
☐ Ms. Marcianne Timm

GUESTS

Simsbury Engineering Department: Thomas J. Roy, PE, Director of Public Works, Town Engineer; Adam Kessler, Deputy Town Engineer

Minutes Recorder: Jessica Campbell, PBC Clerk and Administrative Secretary with the Simsbury Water Pollution Control Authority (WPCA)

1. PUBLIC AUDIENCE

There were no public audience members or comments.

2. MINUTES OF THE JUNE 1, 2026, REGULAR MEETING

Mr. Moore made a motion to approve the June 1, 2026 Meeting Minutes. Mr. Salvatore seconded the motion. Ms. Griswold abstained due to her absence. The motion carried.

3. SIMSBURY MEADOWS PERFORMING ARTS CENTER – BAND SHELL EXPANSION

a. Progress Status Report

Mr. Kessler shared that the building is now open after achieving substantial completion on June 30th and is receiving its Certificate of Occupancy. While a few final items remain, the project is largely complete. The current focus is on completing the remaining details and ensuring the building is fully ready for the

July concert season. A short list of remaining expenditures was presented for review, with the clarification that most of these costs are not related to Millennium Builders' work.

b. Review of Proposed Change Orders and Invoices

Mr. Kessler reviewed several remaining project expenditures and closeout items. He reported that Proposed Change Order (PCO) No. 27 for an additional intermediate exterior handrail, costing $7,200.00, had been rejected because the price was considered excessive. The Town will instead obtain the required handrail through a local vendor at a lower cost.

Mr. Moore made a motion to deny PCO27; Mr. Salvatore seconded the motion. The payment was denied unanimously.

He explained that PCO No. 28 documented a credit for an incorrectly ordered fire hydrant and additional costs for water pipe and fittings required after the fire service route was extended. The credit and added costs were largely offsetting and were presented for documentation purposes.

Mr. Moore made a motion to approve PCO28 at zero cost; Mr. Dragulski seconded the motion. The motion passed unanimously.

Mr. Kessler presented a $1,370.00 purchase for a secure wall-mounted server enclosure and uninterruptible power supply (UPS) for the building's camera system. The enclosure provides a less expensive alternative to constructing a dedicated server closet and allows the cameras to continue recording for up to an hour during a power outage or tampering event.

He also reviewed the purchase of window treatments for $3,175.06, noting that the item had previously been removed from the construction contract to reduce costs. By purchasing directly through the Town's vendor rather than Millennium Builders, the Town was able to save approximately half of the original estimated $6,000.00 cost.

Additional expenditures included a $289.00 Simsbury Fire Department lockbox and two proposals for the lightning protection system. The first proposal, totaling $5,500.00, covers reconnecting existing down leads affected by the addition and the required third-party certification. The second proposal, totaling $16,000.00, would expand the lightning protection system to protect the new roof area, which was not included in the original project scope.

Mr. Kessler also discussed replacing the temporary construction lock cores with the Town's standard keying system at an estimated material cost not to exceed $5,000.00. He further presented a proposal to install electronic access controls for the exterior public restrooms, allowing the Town to program opening and closing schedules while maintaining manual key override capability.

Mr. Kessler noted that these remaining items are being completed through the Town's vendors and staff rather than as change orders to Millennium Builders. The contractor's remaining punch list includes replacing column caps, completing siding installation, and finishing minor trim and caulking work, with completion anticipated within the next two weeks. He concluded by confirming that the project had

received a permanent Certificate of Occupancy, recognizing it as a significant milestone achieved prior to project closeout.

Mr. Moore made a motion to approve the purchase of a camera server enclosure and uninterruptible power supply (UPS) for $1,370.00, window treatments from Budget Blinds for $3,175.06.00, a Simsbury Fire Department lockbox for $289.00, the lightning protection system repair for $5,500.00, the lightning protection system expansion for $16,000.00, the replacement of lock set cores to the Town standard at a cost not to exceed $5,000.00, and the installation of the three-way communications access control system for the public restrooms at a cost of $9,649.00. Mr. Salvatore seconded the motion. The motion passed unanimously.

Mr. Moore made a motion to approve Pay Application #8 in the amount of $265,345.97. Mr. Salvatore seconded the motion. The motion passed unanimously.

Mr. Roy provided two additional updates regarding the Performing Arts Center. He stated that a ribbon-cutting ceremony is being planned for August and that the specific date would be provided once finalized. He also reviewed the proposed wording for the commemorative plaque, noting that members had previously received a draft for review. He advised that any corrections, including the addition of middle initials, should be submitted by the following morning before the plaque order was finalized. During the discussion, Mr. Roy explained that the plaque would recognize the members of the boards serving at the time of the project's first referendum rather than current officeholders. Committee members expressed support for this approach, noting that it appropriately acknowledged those who were involved in the project's early stages.

Mr. Kessler left the meeting at 7:28 pm.

4. PBC – RULES OF PROCEDURE REVISIONS

The committee discussed a proposed bylaw provision requiring the Secretary to submit an annual attendance report to the Town Clerk each January (Item E in the Meetings section of the Rules of Procedure). Chair Derr expressed opposition to the requirement, stating that attendance should remain the responsibility of the committee rather than being formally monitored or reported to others. He also noted that attendance concerns, if there are any, could be addressed internally by the committee and that meeting minutes already serve as the official public record documenting member attendance. Following discussion, the committee expressed support for removing the provision from the bylaws.

Before the committee voted on the bylaws, Chair Derr requested an update regarding the previously discussed letter to the Board of Selectmen concerning a committee member with ongoing attendance and participation issues. Mr. Roy stated that following discussions with the Town Attorney, the committee had intended to request that the Board of Selectmen remove the member; however, the Town Attorney advised that, under the current Town Charter, while the Board of Selectmen has the authority to appoint committee members, it does not have the authority to remove them. Mr. Roy discussed sending a letter to the member requesting her resignation. It was noted that, with the committee's direction, a letter could be prepared explaining the request, and that resigning from the committee could be completed electronically with minimal effort. It was further noted that, if the letter could not be delivered, it would also help determine whether the member had relocated without updating her contact information.

The committee continued discussion regarding whether adding a removal provision to its own rules of procedure would exceed its authority, particularly for a member who was originally appointed by the Board of Selectmen. Members questioned whether the Board of Selectmen has the authority to remove appointed members, noting that the current Charter does not clearly address or explicitly provide that authority. It was further discussed that the Town Charter has recently been amended and that the new Charter may contain stronger language regarding this issue; however, the relevant provisions will not take effect until future dates, with some changes beginning in December. The committee acknowledged that further clarification may be needed.

The committee discussed addressing member attendance issues through its rules of procedure, noting that future Charter amendments are expected to include provisions allowing removal of board and commission members for lack of attendance. Members considered adding language allowing the committee to request a member's resignation and establishing notification requirements before any removal action. The discussion highlighted concerns that an absent member continues to count toward the committee's membership and impacts quorum requirements. Members also reviewed meeting schedule flexibility and noted that changes to the current schedule would require proper notice to the Town Clerk, with a new meeting calendar to be established in January 2026.

Mr. Moore suggested the proposed language should be "if a member of the PBC has missed more than 3 meetings in the calendar year, the PBC may first ask for that member's resignation. If the resignation request is not complied with in 30 days, then the PBC may move to remove the non-attending member 10 days after notification of the PBC's intent to remove and then notify the Board of Selectmen of the vacancy."

Members considered establishing a threshold for missed meetings before action could be taken and agreed that three missed meetings may be too restrictive. The committee discussed using six missed meetings within a 12-month period as a more appropriate threshold, while clarifying that exceeding the threshold would allow the committee to request a resignation rather than require automatic removal. The proposed process would include a request for resignation, a 30-day period for compliance, and, if necessary, a subsequent vote to remove the member after 10 days' notice of the committee's intent, followed by notification to the Board of Selectmen of the vacancy.

Mr. Moore made a motion to adopt the new draft of the Public Building Committee's Rules of Procedure as presented, with the clarification that Section A would remain unchanged and Section E would be replaced with revised language regarding member attendance and removal procedures. The revised provision states that if a committee member misses more than six meetings in a calendar year, the Public Building Committee may first request the member's resignation. If the resignation request is not fulfilled within 30 days, the committee may move to remove the non-attending member after providing 10 days' notice of its intent to remove. Upon completion of the removal process, the Public Building Committee will notify the Board of Selectmen of the resulting vacancy. All other recommended changes were included in the adopted draft. Mr. Salvatore made a friendly amendment stating if a committee member misses more than six meetings in a twelve-month period. Ms. Griswold seconded the motion. The motion passed unanimously.

Mr. Moore made a motion to have the Town's Clerk send a letter of resignation to Marcianne Timm due to non-attendance. Ms. Griswold seconded the motion. The motion passed unanimously.

5. TOOTIN' HILLS ROOF – H.B. FISHMAN REPORT

Chair Derr reported that per the investigation summary provided by H.B. Fishman, the roofing contractor did not follow the project specifications, resulting in the improper filling of weep holes in the Kalwall system. He explained that the blocked drainage points caused water to accumulate and contributed to a roof leak. Chair Derr stated that the contractor did not perform the work in a workmanlike manner consistent with the project requirements. He also noted concerns regarding the lack of contract administration and stated that the architect did not adequately ensure the contractor's compliance with the specifications.

The committee discussed potential recourse against the roofing contractor and the possibility of filing a claim with the contractor's insurance company. Members stated that the contractor should be held responsible for any water damage resulting from the improper sealing of the Kalwall weep holes. The discussion identified potential negligence related to the contractor's failure to maintain the drainage system and the resulting accelerated deterioration of the wall. Members noted that remediation to remove the materials blocking the weep holes could cost approximately $10,000 and suggested that such costs, along with any related damage, should be considered as part of a potential claim.

The committee discussed distributing the full report and supporting attachments to the Town Attorney, Jacunski Humes Architects, and The Imperial Company, Restoration Contractor, Inc. for review. The recipients will be asked to provide their response and recommendations regarding the appropriate course of action. Members noted that there is some time available to address the issue and emphasized that any proposed solution should consider the need to avoid disrupting school operations.

The committee discussed the roofing contractor's final retainage request and noted that retainage should not be released until the project has been formally accepted. Members agreed that the work has not yet been accepted due to the unresolved roofing issues. It was reported that approximately $37,000.00 in retainage remains unpaid. Members noted that while this amount may be limited compared to the potential repair costs, it could be applied toward addressing the outstanding issues. The committee agreed that withholding the retainage was an appropriate first step while further review and resolution proceed.

The committee discussed the departure of Jason Casey from the Board of Education. It was noted that Mr. Casey relocated to Florida, making the previous long-distance arrangement impractical. It was reported that the responsibilities of the position will be distributed among several individuals, with Neil Sullivan taking on a more active role, Melissa Appleby handling a significant portion of the financial and capital budgeting responsibilities, and Kyle Loveland providing project management support. Additional assistance will also be provided as needed.

6. ADJOURNMENT

Mr. Moore made a motion to adjourn the meeting at 8:12 p.m.; Ms. Griswold seconded the motion. The motion carried unanimously.