

# TOWN OF SUFFIELD

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February 5, 2020

Update to First Selectman Column  
November 2019, The Suffield Observer

In our Fall 2019 review of Town properties, our insurer (CIRMA) informed us that it may no longer cover the vacant Bridge Street School (BSS) based on its current state. Despite the Town's efforts to heat the inside of the building with space heaters over the last several years and hiring a roofing contractor to mitigate roof leaks in 2018, pictures posted on the Town's website show a blighted building permeated by black mold, crumbling asbestos, peeling lead paint and collapsing ceilings from over fifteen years of deterioration. Thereafter, on September 27, 2019, the Town of Suffield Building Official provided the Town with a Notice of Unsafe Structure and Order to immediately vacate the structure and make plans to either remediate the serious health hazards within the building or demolish it in accordance with the state demolition code. The building was posted and is unsafe to enter for any reason.

1,176 residents voted by referendum to appropriate \$8.4M to convert the BSS into a community center and authorized the issuance of no more than \$8.4M in debt to finance the project in October 2015. The vote was **not a mandate** to do the project at any cost, **but a permissive authorization** to do the project if it complied in scope and dollar amount with the information presented by the Bridge Street School Ad Hoc Committee (BSSAHC) to the public, and the legal bond authorization upon which the residents relied to cast their votes.

In November 2015, when I inherited this project, I was told by the BSSAHC that the cost of environmental remediation was to be paid for by "the Town" and was outside the scope of the \$8.4M. I questioned then, and still question now, isn't that just bifurcating one project to look less expensive since all of the money for any project comes from "the Town" or rather, its taxpayers? Confused... I still respected the vote and moved forward with the project.

In 2016, to advance the BSSCC process we engaged an environmental consultant to determine remediation costs and construction attorneys to review RFP documents to protect the Town's interests and accurately describe the project scope. To quantify the scope and expense of the unbudgeted environmental abatement work needed, we obtained an additional conceptual estimate from Gilbane Building Company, projecting the total cost at **\$9,928,700**, a disappointing estimated overage of \$1,528,700 (18.2%) more than the voters approved. Of that estimate, \$300,000 was allocated to environmental abatement.

And still, respecting the vote and the will of 1,176 Suffield residents, I proceeded. In July 2017, the Town issued an RFP for a project guaranteed maximum price (GMP). In August, bids revealed that the Town would have to expend between \$300,000 and \$500,000 to perform enough work to get the GMP to determine whether \$8.4M could renovate the BSS and deliver the scope of work approved by the residents. One contractor stated that an \$8.4 million budget only allowed for a 2,000 square foot gym versus the approved plan's 8,200 square feet.

My next challenge was where would this \$300,000 to \$500,000 come from? I pondered this against the backdrop of a dire State budget and spiraling Kent Memorial Library renovation costs due to late-arriving surprise PCB environmental issues.

I could not authorize advancing funds against the unissued BSSCC bond because the approved bond authorization provided that “the costs of the project may be paid from temporary advances of available funds *that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings...*”. Based on what we knew, I could not represent that the Town reasonably expected to issue the bond or be reimbursed from the proceeds of borrowing. According to the Town's bond counsel, issuing a tax-exempt bond for a project that does not happen would result in complicated and expensive legal issues, including penalties from the Internal Revenue Service, potential issues with the Securities & Exchange Commission and a negative impact on the Town's future bond rating.

At the time, there was no money appropriated in the 2017/18 Town budget for this expenditure. The only other option to fund this expense was to appropriate the needed funds by a separate Town authorization or as part of an annual budget process.

Based on all of the foregoing circumstances, in September 2017, I made the difficult decision to put the renovation project on hold because I could not as the authorized person under the bond authorization execute a contract to proceed without having an approved funding source for the expense. **The Town has expended over \$110,000 of taxpayer dollars from the Town's operating budget on due diligence to advance the BSSCC project over the last four years.**

With Kent Memorial Library still closed after three years and with the black cloud of PCBs looming, on March 28, 2018, the Town issued an RFP for PCB abatement of the library. On June 12, 2018, we learned that this unexpected problem would require over an additional \$1,500,000 in project cost. As a result, much of the 2018/19 capital budget was dedicated to remediating the library and it finally opened on June 29, 2019.

During the 2019/20 budget process, I suggested to members of the BSSAHC to lobby the Board of Finance and the Advisory Commission on Capital Expenditures (ACCE) to include \$300,000 in the Town's capital budget to move the project and that if the boards approved, and it was included in the budget, I would move the project to the next step. The BSSAHC lobbied to ACCE at four of its seven budget meetings and to the Board of Finance. Both boards chose not to include any funding for the BSSCC project in the 2019/20 budget.

The Business Plan presented to the public by the BSSAHC on February 13, 2015 provides that an environmental consultant inspected the interior and exterior of the former BSS in late 2004. “The results of this inspection concluded that some materials/ structures within the building contained asbestos and lead. The ballasts in the building were unable to be inspected **but are assumed to contain PCBs**...The recommendation was to properly abate all hazards.”

The Plan also states that, “TRC was engaged in June 2014 to further investigate the presence of PCBs within outdoor caulks, glazes and surrounding soil.” It is worth noting that TRC was the environmental consultant on the Kent Memorial Library renovation project in which PCBs were overlooked costing an escalation in the project of over \$1,500,000 and an almost four-year delay in its reopening. Similarly, the BSSAHC Business Plan reports nothing about PCBs detected in TRC’s investigation and also makes no mention of the presence of mold which we know has permeated the building for decades. I remind you that the 2016 Gilbane estimate of **\$9,928,700** contained a mere \$300,000 for environmental abatement.

On October 16, 2019, in light of all of the foregoing and the recent state of the BSS, Selectmen Hill, Reynolds and I voted to refer rescinding the BSSCC authorization to Town Meeting, to demolish the building and issue an RFP for the installation of athletic playing fields and a small playscape on the site.

In closing, I will say that I am sorry that the BSSAHC did not do more due diligence that would have allowed this project to go forward as I too relied to my detriment on their representations. You will hear from some that I “have not honored the vote”. I think the summary above shows that not only did I respect the vote, I responsibly took the process as far as it could go. I cannot, however, be cavalier with taxpayer dollars and spend an additional \$300,000 to \$500,000 to prove what we all already know, that the project cannot be completed in accordance with the scope and amount the voters approved. Similarly, in 2000, the Suffield High School project referendum could not go forward due to insufficient funds and went back to referendum. Despite the vote of the BOS, the future of the BSS will rest ultimately with residents at Town Meeting and likely, referendum.