

The Coe Memorial Park Committee

Minutes

August 15, 2012

Mission Statement

To create within the downtown area of Torrington a first class horticultural oasis in accordance with and strict adherence to the Coe Godfrey benefactors and the Coe Family Trust.

Present: Coe Memorial Park Committee Members: Chairman Susan Coe Holbrook, Dr Isadore Temkin, Mark McEachern, Mary Zbell & Margaret Keywan

Also Present: Superintendent Brett Simmons, Park & Recreation Commissioners Patricia Fairchild and Fran Ducotey

Absent: Marc Trivella

Also In Attendance: Prospective Members Lorie Chiron and Nancy Holbrook

A Motion was made by Mary Zbell and seconded by Margaret Keywan to accept the minutes of the regular meeting on July 18, 2012 and the Special Meeting Minutes with Commission responses of July 18, 2012. The motion passed unanimously.

A Motion was made by Mark McEachern to change the order of the meeting to accommodate the Park & Recreation Superintendent and Commissioners. This was seconded by Margaret Keywan and passed unanimously.

Superintendent Simmons outlined the updated additional charges by Fuss and O'Neill which totals \$9,900. Dr Isadore Temkin noted again that the fees in this construction climate were much too high and equated to around 15% when the going rate today is around 8% of the total cost. Dr Temkin stated that he deals with large architectural firms daily and this should have been a lump sum contract with all services en total.

Margaret Keywan stated that this should have been negotiated prior to bringing the contract to the Coe Memorial Park Committee rather than just accepting their demanded fee. "This is an outrageous fee in this day and age and if and when there is another phase to be completed, it will long be remembered. As of the moment we are backed into a corner. Also convenient that this fee is just under the \$10,000 amount that is required to go to bid." she stated.

A Motion was made by Mary Zbell to accept the additional \$9,900 (including the \$3100. already approved) To Fuss & O'Neill for services thru the bid process associated with Phase II making it perfectly clear to Fuss & O'Neill that this is the final fee. There will be no additional fees. The motion was seconded by Mark McEachern and was voted upon as follows: Dr Isadore Temkin: NO;

Margaret Keywan: NO; Mary Zbell: Yes; Mark McEachern: Yes; and Tie Breaking Vote: Susan Coe Holbrook: Yes; Noting that before coming to Committee, fees must be negotiated more carefully. Susan also noted that we had no choice but to accept these additional charges because we are bound by the contract which is signed, enforceable and was badly negotiated from the beginning. The Motion passed.

A discussion followed regarding the RFQ-P for a contractor for Phase II. Chairman Holbrook noted that this document must be worded correctly in order not to have general contractors and masons applying. Somewhere in this document specific requirement must be stated clearly (i.e. park renovation expertise, Urban renewal) otherwise we shall be inundated with many, many contractors that do not have work.

The RFQ-P must be very specific in its requirements. The Superintendent outlined a timeline that he hoped to be followed. ***The Committee members expressed the opinion that there was no need to rush. The top priority was to have everything done correctly. We are going to have to live with the outcome for many years to come.***

Park Operations

- Zaharek.....Tree work and pruning plus tree removal completed August 7-9
- Stump grinding and tree planting to be done in the near future
- Still River Gardens...Reports due prior to walk-thru
- General maintenance: On going
- ***Receipts for Spring planting not turned in to Superintendent as of this date**
- Walk thru August 29th at 5:30 p.m.
- Superintendent Simmons wishes to have a RFQ-P discussion at the walk –thru meeting.

A Motion was made by Dr Isadore Temkin **not** to discuss the RFQ-P with the SRG gardeners present as that would constitute an unfair advantage. This should be a separate meeting. The motion was seconded by Margaret Keywan and passed unanimously.

It was stated that this was a late scheduling as it would be difficult for a new gardener to draw up plans and arrange for purchase of spring plantings by the time this was completed.

Old Business

A motion by Margaret Keywan and seconded by Mary Zbell to seek reimbursement from Park & Recreation for 11 MityLite tables missing from the Civic Center.The motion passed unanimously.

The subject of misappropriation of trust funds was elaborated upon in the following:

1. 11 tables (since 2008) that have not been reconciled by Park & Recreation Department
2. The authorization of folding chairs for the Civic Center not included in the Coe Memorial Park budget and also is not benefiting the park itself. These chairs if purchased will end up being challenged to the City Council and in a court of law at some point, if necessary.

A Motion was made by Margaret Keywan stating that there was no funds available for chair purchase and if Park & Recreation wishes to purchase these chairs from their budget, we concur. Historic trees were not able to be purchased due to lack of funds and are not trees the back bone of any park? The motion was seconded by Mary Zbell and passed unanimously.

3. A request to the City of Torrington and subsequent follow up request for CL&P bills for electricity and delivery services have not been forthcoming and the Trust has the right to ask for return of any and all funds as this expenditure is against the tenets of the Trust. The Committee is hopeful that reconciliation is forthcoming.

Dr Temkin stated that the CL&P meter has been changed. He stated that if this money was available the historic trees could have been purchased. If these issues are not resolved prior to Probate hearing, they will be resolved by the Probate Court or Attorney General or higher offices.

Also discussed were the rental fees for the civic center. Upon a brief discussion prior to adjournment it was learned that Park and Rec. receives **25% from the revenue from the dog classes**, for the use of the hall. To date the Coe Trust has received **no money** for dog classes even though these classes have been ongoing.

Chairman Coe Holbrook introduced two prospective members, Lorie Chiron and Nancy Holbrook. Both attendees introduced themselves and related various reasons they wished to participate on Coe Memorial Park Committee.

A Motion was made by Margaret Keywan and seconded by Mary Zbell to appoint both persons to the Coe Memorial Park Committee. The motion passed unanimously. Originally there were more members on the initial Committee.

A Motion was made by Mary Zbell to adjourn the meeting at 6:50 pm and seconded by Mark McEachern. The motion passed unanimously.

The next meeting will be at the Civic Center September 19, 2012 at 5 p.m.

Respectfully Submitted,

Margaret K Keywan

Recording Secretary

