

**SPECIAL MEETING OF THE BYRAM TOWNSHIP COUNCIL
TOGETHER WITH THE BYRAM TOWNSHIP MUNICIPAL BUILDING SUBCOMMITTEE–
FEBRUARY 9, 2021 at 7:00 p.m.**

CALL MEETING TO ORDER – Mayor Rubenstein called the meeting to order.

OPEN PUBLIC MEETING STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Law. Both adequate and electronic notice of the meeting has been provided, specifying the time, place. In addition, a copy of this notice is available to the public and is on file in the office of the Municipal Clerk, posted on the main door, the bulletin board of the Municipal Building, on the Township website at: https://www.byramtwp.org/index.php/town_hall/township_council, and has been forwarded to those persons requesting notice.

ROLL CALL OF THE TOWNSHIP COUNCIL – Councilman Bonker here; Councilwoman Franco, here; Councilman Gallagher, here; Councilman Roseff, here; Mayor Rubenstein here. Also present was Township Manager Joe Sabatini, Attorney Tom Collins and Municipal Clerk Cynthia Church.

FLAG SALUTE

MUNICIPAL BUILDING SUBCOMMITTEE MEMBERS PRESENT – Carlos Luaces, John Morytko, Steven Panek, Michael Pellek, Larry Rotter, Eric Serrilli, Scott Yappen

MUNICIPAL BUILDING DISCUSSION

Mayor Rubenstein called the meeting to order at 7:03 p.m. Mr. Rubenstein explained that after receiving the design document, the Township Council approved getting cost estimates from both the Nader Group (architect) and Mark Alpaugh (independent estimator) of MJ Construction Services. This process was done by using a double-blind approach where neither estimator could see the others estimates before the township received copies from them both. Only after that did they share the estimates with each other so that they could compare notes and address any discrepancies. Tonight, the two parties are here to present and discuss the design and the estimate.

Mark Alpaugh presented his estimate of \$5 million that includes soft costs for the project total. There are some exceptions to the estimate such as, site work. The previous estimate of the site work is \$500,000. The total overall estimate is \$5.5 million dollars. Mr. Alpaugh explained that the design is very simple and basic. The cost per square foot is very small as well. The project was estimated to the mid-point, and an escalator is put in there to figure out what costs would be at that point in time. At this time prices are becoming much more competitive with many more bidders. His cost estimate that he uses is the “middle of the road” estimate. The range of high to low is expanding 10%-12%.

Mayor Rubenstein said that the site plan is estimated at \$500,000 and questioned which plan it is based on. There was a document that The Nader Group put out with the site work listed at \$700,000.

Mayor Rubenstein asked if the design is simple, is it also adequate. Mr. Alpaugh said yes, it is completely adequate.

Mayor Rubenstein asked if there is anything that is missing in the plan. Mr. Alpaugh said that we are spending a lot of money in attic space. Everything else is very basic.

Mayor Rubenstein said that since the collar of bidding has broadened since Covid-19 how do we capitalize upon that. Mr. Alpaugh said that it may be due to the lack of work the contractors are receiving.

Councilman Bonker said that headline number is \$5.5 million but wants to add caution to that and asked Mr. Alpaugh to speak more on the bidding process. Mr. Alpaugh said that it is estimated probable construction costs, not bid day costs. Bid day cost could be somewhere around \$4.5 million. He also cautioned that attorney and architect fees would be on top of that as well. Mr. Alpaugh said that the more bidders the more competitive it will be.

Councilwoman Franco said that the Township Council has pushed to keep the cost low. She is asking if they are meeting the codes. Mr. Alpaugh said that the only concern is the fire sprinkler system in the storage areas. There may be other things that will come up during the process.

Councilman Gallagher said that he agrees that it is a very simple design. Councilman Gallagher asked Mr. Alpaugh about the estimate for material cost. Mr. Alpaugh said it depends on the material and the costs of the materials at the time. He said that 3.75 is an industry estimate as to what is currently out there. Councilman Gallagher asked Mr. Alpaugh about the earth work. Mr. Alpaugh said it is very basic, and does not include any grading, bull dozing or detention basins.

Councilman Roseff asked more about the site work number. Mr. Alpaugh said his estimate for site work is about \$500,000.

Mr. Nader expressed his appreciation for Mr. Alpaugh’s estimates and reviewed his estimates and how he arrived at them. Mr. Nader said that there is not a site lay out, so they had to estimate the numbers. Mr. Nader is not sure if there will be a need for a retention basin. Mr. Nader said that the number he came up with is \$4.9 million dollars, with an additional \$600,000 for site work.

Mayor Rubenstein asked about the sprinkler situation as part of the process. Mr. Nader will address that with the house architect, but storage space must exceed 13,500 square feet for a sprinkler system to be needed. We have not exceeded that amount of space.

Councilman Bonker asked Mr. Nader if he feels that they have got the right results after going through this process for several years, and asked if this is the right design document for Byram Township. Mr. Nader said yes, it addresses all requirements and components that Byram Township needs to operate properly. Councilman Bonker asked if he feels confident that this can be built for \$5.5 million. Mr. Nader said that they feel very strongly that we will be around that number.

Councilwoman Franco said that the Township Council has been very mindful of the cost throughout the process and is very happy with the design that they have come up with.

Councilman Gallagher asked if the site work will drive up the cost. Mr. Nader said that the site work is not known at this time, but he will be very conscious with it as it moves forward.

Mr. Roseff questioned Mr. Nader on the bidding approach. Mr. Nader said the township will have full control on how the bidding will be sought after. Mr. Roseff asked if they are comfortable with the \$700,000 number for site work. Mr. Nader expects to be less than that.

Mr. Luaces asked Mr. Nader if he is the architect of the project. Mr. Nader said that is the CEO and a PE of the organization. Mr. Luaces asked how the Sally Port was estimated. It is a concrete slab with a fence. Mr. Luaces asked how much was estimated for the demo and if it includes asbestos remediation. Mr. Alpaugh said that asbestos is not part of the estimate. Mr. Luaces asked if environmental work has been done. Mr. Nader said that this was a geotechnical investigation. Mr. Luaces asked if there will be oil or electric heat. Mr. Nader said that it will be electric heat. Mr. Luaces asked about the amp services to the building, and the running of the sewer line. Mr. Nader said that it is all included in the estimate. Mr. Luaces said that he believes that the \$700,000 estimate is low for the site work.

Mr. Morytko wanted to clarify that site costs are driven by the work that needs to be done on site and that they cost will be there regardless of the building. The site is driven by the building and the existing site. Mr. Morytko asked if any of the professionals feel that we are over building on anything. Mr. Alpaugh felt that the footings were very large. Mr. Morytko asked if there are design contingencies in both estimates. Mr. Nader said yes, it is in the estimates, and has not changed.

Mr. Panek –thinks the site work is close on and it is a simple design.

Mr. Pellek – asked if any changes that have been made in the design. Mr. Nader said that nothing major has changed as far as footprint size, just some changes in the layout. Mr. Pellek asked how the current layout will affect the site work., and if there is anything that supports the replacement of the generator. Mr. Nader said that the estimate for the Police Department generator was included. Mr. Pellek said that he does not see the need for that much attic space and questioned how much that would bring down the cost with the reduction in the attic space. Mr. Alpaugh said that he would have to see the design to quantify that savings.

Mr. Rotter – Concerned that they only did three borings, and the costs that could increase if anything additional is found underground.

Mr. Serrilli – Mentioned that the security system access control does not seem to be covered in the estimate and asked what the plan was for that, and if the Police Department building would have to go through a state review. Mr. Nader said it must go for state review.

Mr. Yappen – questioned who dictated not to do the site plan work at this time. Mayor Rubenstein said that it was the consensus of the council. Mr. Yappen asked if it is all premature without the site design. Mr. Nader said that they do not know how to tie connections until it is laid out. Mr. Yappen asked how the air will be circulated as it relates to Covid. Mr. Nader said that many new designs are being investigated because of Covid, and as it progresses, they will investigate what will be needed.

Councilman Bonker - Would like to move forward with completing phase 1B.

Councilwoman Franco – Agreed with Mr. Bonker and feels that they are ready to complete phase 1B and move to continue with the necessary funding of this phase.

Councilman Gallagher – Thanked Mr. Alpaugh and Mr. Nader for coming out, and he feels comfortable to move forward.

Councilman Roseff - is on board with moving forward, looking at the site work.

Mayor Rubenstein – *When I first became Mayor, one of the first orders of business was to determine how to answer the "municipal building question." For several meetings in early 2018, we discussed what the subcommittee should look like, who it should be comprised of, and who should be on it. In the end, on March 20th, 2018, we decided to form a subcommittee to explore the question. A couple months later, on May 21, 2018, we held the kick-off meeting with the subcommittee, and it was decided to include all people interested.*

Over the course of 2018, the subcommittee visited various other buildings including the Andover PD, Blirstown Town Hall, and Lafayette Town Hall. The subcommittee asked a lot of questions and learned a lot of things along the way. There were discussion about the validity of the program; building anew versus renovation; leasing versus purchasing; pre-fab versus stick-built; meeting with Oroho's office about private/public partnerships; the need or not for a municipal court, and so on. There were discussions with the Board of Education regarding the use of the well-known 'open-space' for this purpose. We met with Mr. Alpaugh to discuss and understand the estimates that had be presented in previous iterations. We also looked into repurposing existing structures in the town. The council even spent a huge amount of time and resources considering leasing a space in an existing structure in town.

In summary, an enormous amount of time, work and documentation was generated by the subcommittee. The group really left no stone unturned, in that they looked into every possibility.

All of this activity and work was culminated into a document presented to the council on April 16, 2019.

I'd like to read from the report, the following:

In early 2018, the newly elected Township Council established a subcommittee for the purpose of identifying a solution to address municipal building and community needs. This new subcommittee was charged with reviewing prior municipal building plans, scope, and process with a fresh perspective and asked to incorporate new approaches and assessments. The Council gave considerable latitude and time to explore any and all options.

Further, the subcommittee recommended:

In consideration of the forgoing sections of this report, it is this subcommittee's belief that we have concluded the initial phase of a multi-phase effort. While the subcommittee is recommending to move forward with a concept site plan based on The Nader Group's report, there is a substantial amount of work to be done to truly define what that means in terms of cost, time and the final product. While the subcommittee is convinced that, on a comparative basis, the "Combination" option is the best solution, the best version of this option has yet to be developed. Thus, the subcommittee recommends the following:

- 1. Engage The Nader Group to develop advanced concept plans of the Combination Option 1C, possibly 2 or 3 versions that would include detailed floor plans, elevations with exterior finish options and roof line profiles, fenestration options, structural and mechanical systems narratives and evaluations, and site plan schematics.*
- 2. Engage the services of an independent estimating firm or construction firm to provide detailed cost estimates and value engineering assistance to the subcommittee and The Nader Group.*
- 3. Maintain this subcommittee to manage, monitor and guide the efforts of the professionals, provide feedback on the initial design process, and keep the Township Council informed.*
- 4. The subcommittee shall continue to explore cost-saving opportunities such as a further review of the proposed summary of program space, potential impact of shared services, alternative record storage, construction methods, energy efficiency, funding sources and other meaningful methods of cost reduction.*

So now, here we are with a set of design documents and two independent cost estimates, one prepared by our architect, and one prepared by a professional cost estimator - both who were present at tonight's meeting to discuss their approach and answer our questions.

Now, my opinion and summary: We have come a long way, if you consider what has happened as far back 2015 - six years ago. The town has been through multiple iterations of plans and concepts, and two bond ordinances that were ultimately repealed because of public pushback. In 2018, the council decided to take a new, fresh approach to the process, engaging members of the public and having the mindset of "no idea is a bad idea." And if you look back at the minutes of the meetings over the last three years, you can see that we did just that. A long, detailed, open and transparent process. If anyone were to think that this current iteration is in any way "the same as last time," they are wholly misinformed. Where we are now looks nothing like where we were 3 years ago, from every perspective.

I ask now that we respect the process that has been employed over the last three years and set aside any "whataboutism" that may be on anyone's mind. We have had smart people - including residents, township officials, and hired professionals - spend a huge amount time over multiple years to explore every option, and we have arrived where we are now. It is time to continue moving the ball forward and getting this project done.

In my opinion, it is now time to engage our architect, with the help of the independent estimator, to continue to develop the drawings into a set of bid documents and construction documents. We should also authorize the development of the site plans. With this, we will have come to the conclusion of the design and specification process and be able to move towards financing and construction.

Mayor Rubenstein said that he thinks the Township Council should instruct the administration to solicit updated quotations from the Nader Group for site plan development, phase I of environmental studies, and update on quotation for further into the design for construction bid documents.

Resolutions for consideration at the February 16, 2021 meeting related to:

- Site Plan Analysis
- Phase I of environmental Studies
- Construction & bid documents

Joe reminded the council that a bond ordinance was done that was based on the scope of estimate that was put together a few years ago by The Nader Group that included money for an estimator and based on the previous scope of work that was outlined.

OPEN TO THE PUBLIC

Skip Danielson – Said that this was a good meeting with good input.

Motion by Eric Serilli second by John Morytko to not have a chair. Motion failed.

	Skip Danielson	Carlos Luaces	John Morytko	Steven Panek	Michael Pellek	Larry Rotter	Eric Serrilli	Scott Yappen
Motion							x	
2nd			x					
Yes	x		x	x			x	
No		x			x	x		x
Abstain								
Absent								

Carlos Luaces made a motion, second by Scott Yappen to nominate Scott Yappen as Chair of the Municipal Building Subcommittee.

	Skip Danielson	Carlos Luaces	John Morytko	Steven Panek	Michael Pellek	Larry Rotter	Eric Serrilli	Scott Yappen
Motion		x						
2nd								x
Yes	x	x			x	x		x
No			x	x			x	
Abstain								
Absent								

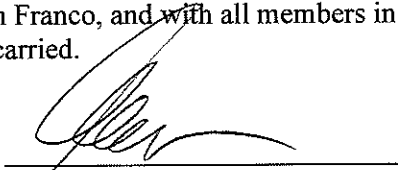
Carolos Luaces to Second Larry Rotter to nominate Skip Danielson as Co-Chair of the Municipal Building Subcommittee.

	Skip Danielson	Carlos Luaces	John Morytko	Steven Panek	Michael Pellek	Larry Rotter	Eric Serrilli	Scott Yappen
Motion		x						
2nd						x		
Yes	x	x	x	x	x	x	x	x
No								
Abstain								
Absent								

ADJOURNMENT

On the motion of Councilman Gallagher, second by Councilwoman Franco, and with all members in favor, the meeting was adjourned at 10:25 p.m. All members were in favor. Motion carried.


 Cynthia Church, RMC
 Township Clerk


 Alexander Rubenstein, Mayor