

BRIDGEPORT LIBRARY

925 Broad Street ♦ Bridgeport, CT 06604 ♦ (203) 576-7400

DECEMBER 3, 2020 MINUTES

ATTENDANCE: James O'Donnell, President; Kenya Osborne-Gant, Vice President; Thomas Errichetti, Secretary/Treasurer; Donald Greenberg, Judge William Holden, Jeanette Muñoz Allam

OTHERS: Elaine M. Braithwaite, City Librarian; John Soltis, Assistant City Librarian; Sara Santos, Administrative Assistant; Atty. Ron Pacacha, Nykia Eaddy, Newfield Branch Manager

CALL TO ORDER

Director O'Donnell called the meeting to order at 6:04 p.m. He called the roll and announced that a quorum was present.

UNFINISHED BUSINESS RE RESOLUTION OF NEWFIELD SUBCONTRACTOR CLAIMS

- **Status/Action to resolve such claims**
 - **Status/Action to authorize funding to satisfy such claims.**
 - **Status/Action to authorize account sources for funding payment of such claims.**
 - **Status/Action re Purchasing approval for recurring vendors**

Director O'Donnell explained that Ms. Braithwaite, Atty. Pacacha and Mr. Coleman had compiled the invoices. The total came to \$1.3 million. The proposal is to increase the amount for the payments from \$1.2 million to \$1.4 million. Due to the departure of the project manager, the subcontractors have not received payment for some time.

Director O'Donnell displayed an updated copy of the Certified Resolution of the Board of Directors of the Bridgeport Public Library and Reading Room on screen. (See attached)

Director Osborne-Gant asked about the total. Director Errichetti reviewed the details of the charges with the Board Members.

Director O'Donnell gave an overview of the proposal regarding the increase of funds. He noted that there appears to be duplicate charges submitted by some of the subcontractors. Director Errichetti will review the submitted invoices. Atty. Pacacha pointed out that the subcontractors had signed waivers that will prevent them from filing future claims.

Director O'Donnell read the following into the record:

WHEREAS, the Library Board wishes to finalize the resolution of all such subcontractor claims in reliance and based upon such subcontractor representations as approved and certified by Ashlar Construction, LLC and to make such payments to contractors, albeit under protest and reserving all its rights under the contract with Ashlar Construction, LLC, and to obtain from such subcontractors a discharge and release of all such claims, to prevent or obtain the release of mechanics' and materialmens' liens, and to ensure clear and unencumbered title to the real property on which Newfield Library construction project is located.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Library Board revises its previous resolutions to increase its previous authorization and allocation of Funds to resolve Newfield subcontractor claims and hereby authorizes an increase of the Funds up to One Million Four Hundred Thousand (\$1,400,000.00) Dollars for payment of such claims being made by subcontractors and material suppliers in connection with the renovation of the Newfield Library and to reimburse funds previously authorized and paid from Library Endowment fund accounts, which shall be allocated from and drawn upon the Bonded Funds in the amount of One Million (\$1,000,000.00) Dollars and from Library Surplus funds in the amount of Four Hundred Thousand (\$400,000.00) all of which shall be transferred into and shall increase the Ashlar Construction purchase order relating to the Newfield construction project to enable the delegated Directors, Errichetti and O'Donnell, as the duly authorized delegates of the Library Board to act in its name, place and stead in accordance with the above recitals, to approve and direct appropriate representatives of various city Departments to issue checks and obtain release documents from subcontractors to resolve all subcontractor claims; and

BE IT HEREBY FURTHER RESOLVED, that all previous resolutions of the Library Board with regard to claims being made by subcontractors and material suppliers in connection with the renovation of the Newfield Library not inconsistent with the foregoing Resolution are hereby ratified and confirmed in all respects.

Ms. Braithwaite said that she had received a call from the Director of Godly Hands about his outstanding invoices. Discussion followed.

Director Osborne-Gant asked what the process was for releasing the funds to the subcontractors. Ms. Braithwaite gave a brief overview of the process. The discussion moved to the reconciliation of the invoices and various charges with Ashlar.

Director Osborne-Gant said that the Board was acknowledging the amounts that were owed to prevent damage to the small businesses. Director O'Donnell said that this was the basic principle. The Library Board did not create this problem but they are responsible for resolving it.

Director Osborne-Gant asked about Breach of Contract periods. Atty. Pacacha said that there was a six year window for breach of contract. The mechanical liens have a 90 day window. Ms. Braithwaite said that she had received a notice from one of the vendors regarding the vendor's intention to file a claim, but no formal legal notification has been received.

**** DIRECTOR ERRICHETTI MOVED TO APPROVE THE RESOLUTION AS PRESENTED WITH THE ADDITION OF THE APPROPRIATE DATES.**

Director O'Donnell asked about the funding. Director Errichetti reviewed how Mr. Nkwo would transfer the funding in order to pay the vendors.

**** DIRECTOR OSBORNE-GANT SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Status/Action to approve pending vouchers and line item transfers.

There were no additional item to consider at this time.

Status/Action re implementation of Burroughs/Saden projects

Ms. Braithwaite said that the movers had the main room basically empty with the exception of the piano. The movers should move that on the December 4th so the abatement can start on the 7th.

Ms. Braithwaite gave a brief overview of the rearrangement of the second floor and said that the project was moving forward.

Director Osborne-Gant thanked Ms. Braithwaite for all her hard work.

ADJOURNMENT

**** DIRECTOR GREENBERG MOVED TO ADJOURN.
** DIRECTOR KENYA OSBORNE GANT SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 6:41 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

Bridgeport Library
Board of Directors
Regular Meeting
November 18, 2020