

**Holyoke Community Charter School
2200 Northampton Street
Holyoke, MA 01040
Board of Trustees**

Minutes of HCCS Board of Trustees FINANCE SUBCOMMITTEE Meeting – March 27, 2024

Board Members in Attendance: Lina Rivera, Janine Kent (entered at 5:15pm)

Guests: Leona Florek, Maria Rodriguez, Ryan Meek, Sonia Correa Pope

I. Meeting called to order at 5: 02 p.m. by Maria Rodriguez

Maria asked if the committee had the chance to review the year-to-date budget and if there were any questions. Lina stated that she reviewed it and that she had no questions. She gave the board notice that the tablets have been received and that the expenditure will be in the next report. Lina asked a question regarding the budget; she asked if the building repairs and maintenance were for the potholes, and Maria responded that yes, the bad potholes in the back have been fixed and that the rest will be fixed once the weather gets better.

II. New Business

P3 Open Request/ Project Closeout Proposal

Maria went over updates from P3. She referred to the materials that were sent to the board. One being the letter that the board received from P3. One of the requests was regarding the pavement escalation, the pavement subcontractor stated that they needed more money because at the time of the bid the cost of asphalt was much lower than at the time of the pavement of the parking lot. She stated that at the time this request was presented the board decided to table it until the end of the project. Maria Rodriguez, Kyle Callender, Ryan Meek, and Sonia Pope went over the letter and sent a question back to P3. The response included a thanks for the materials ahead of the meeting along with a couple of questions. One of the questions being the storage of the bleachers, it was stated by Kyle Callender and Tom Paquin that the bleachers were stored in the schools building during the summer and that the school should not be charged for the storage. The next question to P3 was that the materials sent did not address the issues that the board brought up when the change order was sent because of the design error.

P3's response is what was sent to the board. Maria stated that based on their response her understanding is that Kastle Boos is not taking responsibility for the error and that they deem the project to be successful. Dan and Rob are coming to today's board meeting to present to the board the request from the general contractor.

Ryan shared with Leona that P3s advice is to find a local attorney and file a claim with KBAs insurance carrier for the design error. Ryan stated that there is no written response from KBA. He said that they could have a lawyer put together a letter which states that there is a design error and to reimburse the school and if there is a disagreement, please provide reasoning in writing. He stated that the school could send a few letters to make sure there is documentation.

Maria stated that she sent meeting minutes to Robert and Dan from the board meeting back in December 2022 when the change order was presented. She said that in those minutes it shows that the board approved a change order not to exceed a certain amount, but at that time they did not know the extent of the costs of the change order.

Ryan wondered if a letter of demand be written to Kaestle Boos with the school's letter head stating the request for the money to be returned, gain a response, then move to the next steps legally. Maria mentioned that there is an evaluation that needs to be done that she will ask about during tonight's meeting.

Janine asked who has the contract with OA, Maria and Ryan stated that the school has the contract. KBA, P3 and OA contracts were all signed separately. Maria responded that she re-read the language, and that it does not specify what the gym will be used for. Janine then asked if an attorney has been called? The response was that there hasn't been communication with an attorney.

Janine stated that the finance committee should make a recommendation to the board if they are considering to seek an attorney that a recommendation be made to the board to authorize up to x amount to recover between \$39,000 and \$43,000 dollars.

Janine motioned that the finance committee makes a recommendation to the board to spend at the present time up to \$8,000 dollars in legal costs to review contracts and make a decision as to how HCCS should move forward. Seconded by Lina Rivera.

The meeting adjourned at 5:37 p.m.