



NEW CASTLE FIRE DISTRICT NO.1

Est. 1925

Board of Fire Commissioners
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A meeting of the Board of Fire Commissioners of New Castle Fire District No. 1 with representatives of Key Construction Services LLC was held at 491 King Street, Chappaqua, New York on April 15, 2026 beginning at 5:45 pm.

Present

Nancy Zezze, Chair
Jon Preizler, Commissioner
Charles Rauch, Commissioner
Michael Soldo, Commissioner
Dwight Smith, Commissioner

Also Present

Greg Bologna, District Treasurer
Jonathan Goodman, District Secretary
Paul Eiden, Chief of Department
Gerald Ruck, Triton (Construction Manager)

Key Construction

Alfred Torreggiani, President
Steve Ohara, Attorney
Joseph Manfredi
Jim Pendergraft

Chair Zezze:

- She welcomed the attendees and circulated an attendance sheet.
- She stated that the purpose of the meeting was to assess the current status of the project, identify what is preventing completion, and establish a clear plan to bring the project to completion as quickly and efficiently as possible.
- She expressed the District's appreciation for the work that has been completed and recognized that progress has been made.
- She noted that the project is materially over budget relative to funds allocated, and is substantially beyond the contractual completion date, even after taking account of previously granted extensions.
- She said this situation is unacceptable to the District and cannot continue without immediate corrective action.
- She noted that the facility serves a public safety agency responsible for essential fire and emergency response to the community. The delays place an operational

strain on the District, emergency response capabilities, and volunteer firefighters. For these reasons, she said the Board expects a heightened sense of urgency from the entire project team, including Key Construction, Wendel (architect), and Triton (construction manager).

- She said the Board has a fiduciary duty to the taxpayers of the District and is required to carefully oversee public funds and address the financial consequences of continued delays, cost overruns, and unnecessary change orders. She also said that the Board is concerned that decisions related to staging and subcontractor coordination appear to have contributed to avoidable delays and added costs. She cited as one example, the failure to complete roadwork prior to the annual DOT winter recess. This resulted in a change order and the ensuing lack of electrical service that continues to delay overall progress.
- She referenced the March 18, 2026 Board Resolution and noted that the District reserves all of its rights including withholding funds, assessing damages and recovering professional and management costs resulting from delays.
- She requested that Key provide a definitive completion plan that includes a detailed schedule from today through substantial completion, with milestones and responsible parties identified, and a realistic target date for substantial completion supported by that schedule. She said that this plan must be submitted within one week. She said the Board will monitor progress against the schedule and milestones and reserves the right to withhold funds from balances due to any unexcused delay.
- She said that the Board expects an immediate improvement in project coordination among the contractors, construction manager, architect, utilities, and subcontractors.
- She said that Key must mitigate the volume of change orders and ensure that proposed change orders from subcontractors are truly scope issues and have been properly vetted. Key must resolve other change orders directly with their subcontractors and not via the District. She said that the Board requires stronger management of change orders so that only legitimate scope-related requests are submitted, fully documented, and properly priced. She said that both Key and Triton have identified change orders that resulted from errors in the design, and that Key and Triton must establish and maintain a log of change orders that includes the reasons for the change order. If a change order is due to a design error, then the District will request a response from the architect as the project continues.
- She said the Board acknowledged receipt of the email of April 13, 2026, from Key Construction signed by Alfred Torreggiani. She said the Board will review the letter, however, the Board is aware that the contract with Key states, "failure of the Contractor to initiate a Claim within 21 days shall constitute a waiver to any Claim the Contractor may have, including but not limited to delays." Chair Zezze went on to say that the received notice is late. Key's attorney expressed an objection to this statement by the Chair.
- She requested regular attendance (either in person or remotely) by a representative of Key at the District's monthly project meeting.

- She emphasized that the District's objective is to finish the project promptly, responsibly, and with full accountability. She concluded that the Board is prepared to work constructively with all parties to achieve this objective but expects measurable progress immediately.

Alfred Torreggiani:

- He said Key originally intended to complete the building and sitework in one phase. Instead, they had to do the building first because they could not do the sitework and the building at the same time. He said that this was not what they had bid on.
- He said that he has first responders in his family including Yonkers chiefs and that his brother is a former Inspector General. He said that he supports first responders.
- He said that he has never seen a town interfere with a fire department as this Town has done. He wrote a letter to the Town on this subject and Redi (the former Triton construction manager) called him and said that he had to write an apology because the chiefs were scared that the "town was going to come down on us." He said he then wrote an apology to reduce pressure on the fire department. He said that after this occurred, he became aware that Key was going to have constraints, and that there would be delays.
- He said that the site was extremely "tight" and so the trailer and equipment could not be placed. With large pipes, structures and deep holes, it would not be possible to access the building -- this was the source of much delay. He said that he was aware of these issues, but he didn't want to sign anything or "go after you guys". This was a \$780,000 "hit" and he said that he expects this to cost Key an additional \$280,000.
- He said that Key will do what it can as fast as it can now.
- He said that they came up with a plan that could have saved months, but it was "not taken well." He said that they asked for extensions of time with their changes but were told that they could not have them, and so the District was accepting the time.
- Another Key representative spoke about an issue with JMC; that the information from the Town last June was incorrect. He said that this stopped Key from proceeding. He said each town is different. This town made requests and provided a list of requirements for the water system. He said Key complied in December, and requested a DOT extension for November, December and January, but didn't get a response from the Board until December 19th, which is when Key was told that it could not do anymore work, and Key closed the road. He added that on December 22nd or 23rd the Board approved the change, but it was already too late to implement. He said that this is an isolated incident but also said that these types of things occurred throughout the project, and this is what kept Key from moving forward in a manner that it would have liked.
- A person from Key said they suggested some approaches over the summer that were documented in writing and placed before the Board, and that the Board rejected them. They proposed other approaches, and those were rejected. This continued to extend the schedule.

- Mr. Torreggiani said that they work with many fire districts and municipalities throughout the Hudson Valley and the approaches suggested were reasonable and generally accepted. He said that it might have gone better had they explained it directly to the Board -- rather than doing it through the architect and engineer. He said that when Key put forward a suggestion for a method that could save 4 or more months and was turned down, the Board accepted the additional four and half months.
- Mr. Torreggiani said that Key didn't agree with the February 12th completion date, but Key accepted the schedule and tried to make it work because it is spending \$50,000 to \$60,000 per month being on site. He said that he still has to "go after" his first site contractor because it cost him more than \$700,000. He emphasized that the delays are not benefiting him at all.
- Mr. Torreggiani said that he does not have the right number of trailers, dumpsters, parking, Conex boxes and other equipment because they will not fit on the site.
- Mr. Torreggiani said that when a town issues a stop work order, Key remediates and is back to work in 72 hours, but in this case, it took two weeks. He said this hurts both the District and Key. He said that Key didn't issue delay claims, but he knew that they were there. He also spoke about issues regarding "the steel" of which he was aware and reiterated that he knew that February 12th would not be sufficient.
- Mr. Torreggiani said that Triton made him aware of changes to the phasing plan and also became aware of changes to the site entrance and exits that posed problems for trucks, concrete trucks, and cranes. This resulted in the inability to do the sitework at that time.
- Mr. Torreggiani said the Town came in after everything was approved and wanted change orders, and the Town submitted a 77-page document, but the District fortunately prevailed, especially regarding the silt fence and erosion. He said that he doesn't know how much communication the District had with Triton, but he hopes Triton brought everything to the District, because this isn't all Key's fault. He said that Key could be prepared to argue it out, but Jim and Joe are working on it, and they may have some "float," and "can tighten it up."
- Two participants from Key said that there was a reluctance by the architectural firm to issue change directives (as distinct from change orders) and this was "piggybacked" by the construction manager and the owner. Key said that they have one only one directive on this project and should have had forty. He said change orders take 30 to 60 days to get approved and signed by the Board at the next Board meeting. He said they kept asking for a directive so they could do the work immediately, but instead it kept taking 30-60 days to go before the Board for a change order. The only directive relates to the ceiling error by the architect and that was only after Key's insistence that the architect issue a directive for it. They said that Redi (the former Triton representative) kept resisting the issuance of directives, and instead took the change to the Board, and on more than three occasions the change was not approved. A Key participant questioned whether Redi was bringing all of the facts to the Board.

- Commissioner Preizler said that the anecdotes are emblematic of why it is important to have Key speaking directly to the Board to make sure things are getting done.
- One Key participant said the delays are due to unforeseen conditions, logistic conditions, changes in scope, added work.
- Chair Zezze said that the District wants to work together to get this job done. She said that the Board will do whatever it takes. She said that if the Board needs to call a special meeting, it will do that as well as whatever else is necessary to keep the job moving forward. She said, "We are available." Commissioner Preizler emphasized that Key and the District are aligned because both want to get the project completed.
- Several Key participants questioned how the RFI's are being handled by the architect and explained how Key approaches architectural errors and omissions.
- A Key participant said he would attend the monthly OACM meetings remotely.

The meeting concluded at 6:25pm.

Respectfully submitted,
Jonathan Goodman
Fire District Secretary