

TRI TOWN BOARD
of Water Commissioners
Braintree, Holbrook, Randolph

MINUTES

Tuesday, March 14, 2023
Johnson Chamber - Braintree Town Hall

Present: Mayor Charles C. Kokoros, Chair, Town of Braintree, Bill Alexopoulos, Town of Randolph, Greg Hanley, Town of Holbrook.

In attendance: Helen Gordon, Sarah Price, Brian Howard, Ed Spellman, Crystal Huff, Lorraine See John Thompson, Ryan Matheson, Chris Pellitteri, Chuck Parrish, Mike Moraites, Kate Naughton.

Mayor Kokoros opened the meeting at 12:11p.m.

Mayor Kokoros took roll call attendance – all Tri-Town Board of Water Commissioners member present: Mayor Charles Kokoros, William Alexopoulos, Greg Hanley

Tri-Town Water Treatment Plant Update:

US Army Corp Update and Construction Schedule update

Helen Gordon (Environmental Partners) updated all that there is a work hiatus due to additional artifacts found on the site. US Corps indicated that they want to re-look at their permit. The towns have now received a received a letter dated March 13th that activity is now authorized to move ahead. There are new terms associated with the permit. They are looking for the addition of archeological monitoring, which would be a registered archeologist. Public Archeologist Labs (PAL) will be on site to observe the taking of topsoil from the wastewater treatment plant footprint area and the tunnel footprint area. There will be a requirement of using a flat blade on the excavator and the excavation will go down to 21 inches. During the time of this work, the archeologists will be on site full-time and the three tribes are allowed to have access to the site as observers. If they see anything, they'll bring it to the attention of the archeologists and they'll talk about where it gets moved or what gets done with that. The Tri-Town Water District will pay for the time associated with the tribes being on site and also for PAL.

Ms. Gordon stated that she will be working with Walsh Construction to talk about next steps, when they can get started again, what that looks like and what their expectation of how long the work will take. An estimate has been provided here for the PAL oversight. The estimate is based on up to two people per tribe. So that would be six people. The difference between a two week and four-week period is shown because they are not hundred percent sure how long it will take.

We have to talk to Walsh and come to an agreement on that PCO associated with that and we will do that.

Environmental Partners is looking for Tri Board to vote to have PAL subcontracted under the EP agreement. PAL would sub subcontract to EP. Once we have the PCO, it will be brought to the Board for approval for a change order for the contractor, which will shortly

Ms. Gordon recommends a vote from the Board to approve the utilization of the portion of the appropriated construction contract contingency funds for additional costs associated with the changes to the US Corps permit. A line item was provided. There is a hundred thousand in the permit budget and the tribes have expended some of that money already with the preliminary work that was done. Ms. Gordon recommends another vote to increase our contract to cover the PAL and our services for \$104,000. That way PAL can submit a letter to MHC saying that they're going to be doing the oversight That is the last piece of information that has to be provide along with the re-verification permit that the Corp provided.

Mr. Hanley questioned wages and how many people will be on site.

Ms. Gordon responded – up to six people.

Mr. Hanley asked if that represents two people per tribe.

Ms. Gordon stated that is correct. She continued that PAL oversight is one person. EP has construction oversight RPR services during construction, but the fee is for all the coordination that EP has done.

Mr. Hanley questions the rate of \$20,000 per week.

Sarah Price clarifies that the work includes: reporting, coordination of front field work and final documentation and cataloging of any artifacts founds.

Ms. Gordon has recommended a time and material basis so the fee would be a not to exceed. If it only takes two weeks, it's two weeks - if it takes four, the funds are already appropriated the funds associated with that.

Mr. Hanley stated that he has a problem with the associated costs. He stated this should have been covered at bid time. He understands that it is covering the contingencies, but feels that it is an excessive amount of money.

Sarah Price clarified that it is one field individual and a second individual that's helping with coordination. She continued... the field work is essentially field monitoring for 80 hours is \$7,000, additional documentation, reporting, processing mapping that's required per Mass Historical commission and then, coordination that they've already done to date with the Army Corps.

But is that not already line item? The previous incurred tribal oversight costs down at 76,004.

Mr. Alexopoulos inquired what is done with artifacts that they find?

Ms. Gordon responded the tribes prefer to have negotiated with Mass Historical to keep it on an undisclosed location on site.

Mr. Alexopoulos asked if artifacts are reburied in the ground.

Ms. Gordon stated that the artifacts are placed in another location on the site and Mass Historical and the tribes would have a GPS location for that. That report isn't typically published. Ms. Gordon continues to explain that if any additions would be needed for the project in the future, she would recommend that PAL is hired, dig down 21 inches, determine with the archeologist if there's anything there, and then move ahead with the project.

Mayor Kokoros questions if the vote has to take place in order for the project to move forward.

Ms. Gordon stated – correct. Although the contractor, if they choose to do, they can do other work, not at this footprint and not at the tunnel.

Mr. Hanley restated - Tribal oversight is \$65,895 for two weeks, and then basically it makes sense that they're going to just double it. Why wouldn't that be consistent with PAL'S oversight? EP's coordination?

Ms. Gordon responds -PAL'S oversight and all the coordination still has to be done in terms of the report, the GIS location and all of that work. So it's not the only addition for those four, those additional two weeks is for somebody in the field. She reminds all - it's a not to exceed number. It's not to exceed number on a time and materials basis.

Mayor Kokoros asks if Walsh can speak to whether this could be done in two weeks versus four weeks?

Chuck Parish Area Manager for Walsh stated that he received of a scope breakdown on 3/13/23. He continued that the original scope was to take a dozer with the frost tooth on it and in the footprint of three of the structures on the job, scarify - turn up the soil and let it sit there and let the tribes go through it for two weeks, come back and load right out the top soil. As they now understand the scope dig down in 6ight inch lifts, 21 inches cast to the side, let it sit and come back in and reload it over to a stockpile. It was mandated, a rubber tire machine, one machine only

Sarah Price clarified - it can go to a site location for it to remain there until the end of the project and then it'll need to be seeded.

Ms. Gordon stated that they had a long negotiation with the Corp and through them with the tribes. Initially they were talking about three to four feet. They were able to get to 21 inches. And then they were also talking about keeping on the, all the soil at the side as you're removing it. And now they're saying you do the lift, they do their quick inspection, you can move it right away.

Mr. Alexopoulos asked if, 20 years down the road we have to do something here and we want to build where we dispose this dirt. Do we have to go through this same exact process all over?

Ms. Gordon can't give a definite answer. It's going to be actually piled in a location actually across the street - across the street in a lay down area.

Mr. Alexopoulos questioned how much dirt.

Ms. Gordon answered that it is 29,000 square feet. A little more than that maybe.

Mr. Parish stated that is about 2,700 cubic yards. If they are to use one machine, it would take about eight weeks, two machines would be four weeks. And that's the problem is that it's not, it's actually like a grading operation. He continued that it a it's slow, methodical digging.

Ms. Gordon stated that PAL who does this kind of work on a regular basis is indicating that it should be able to be done within a two to four-week period.

Ms. Gordon restates that the reason this is being brought forward today is because we have to get PAL under contract so we can finish this permit process so we can get them started again.

MOTION: a vote to approve the utilization of a portion of the appropriated Construction Contract Contingency funds for additional costs associated with the changes to the US Army Corps Permit NAE- 2016-01052 Tri-Town Water District General Reverification Letter Dated March 13,2023.

MOTION: Mr. Hanley
SECOND: by Mr. Alexopoulos

- *No Discussion*
Mayor Kokoros – Yes
Mr. Alexopoulos – Yes
Mr. Hanley – Yes

Vote : Unanimous

Mr. Hanley asked Ms. Gordon to explain the \$104,000 on the next motion.

Ms. Gordon confirm It's 103 and change again, and it is not to exceed, time and materials.

MOTION: a vote to approve an increase in Environmental Partners Contract of specifically for the Environmental Partners and Public Archaeological Labs (PAL) services to conduct observation and consultation during excavation as outlined in the US Army Corps Permit. NAE -2016-01052 Tri-Town Water District General Permit Reverification Letter Dated March 13,2023 for a not to exceed amount of \$104,000.00

MOTION: Mr. Mr. Alexopoulos
SECOND: by Mr. Hanley

- *No Discussion*
Mayor Kokoros – Yes
Mr. Alexopoulos – Yes
Mr. Hanley – Yes

Vote : Unanimous

SRF COORDINATION:

Sarah Price has been working with the treasurers to get the final known questionnaire submitted. Each community is in varying stages of submittal along with the green light letters. Waiting on a couple green light letters and then the SRF will then submit.

Mr. Hanley asked for clarification. Are green light letters for the entire or just the borrowing that's necessary for this portion of the communities

Ms. Price clarified - Just the borrowing that's necessary for each community. The green light letters are associated with the two loans that each community is submitting now and they don't have to do it again in probably six months. Essentially each community will have a total of six loans for each intended use plan year.

Future Meeting:

April 11, 2023 10 a.m.

Motion to adjourn

MOTION: Mr. Hanley

SECOND: Mr. Alexopoulos

o *No Discussion*

Mayor Kokoros – Yes

Mr. Alexopoulos – Yes

Mr. Hanley– Yes

Vote : Unanimous

Respectfully submitted: Kate Naughton

