

**TRI TOWN BOARD
Of Water Commissioners
Braintree, Holbrook, Randolph
DPW Administration Building, Pond Street**

MINUTES

June 18, 2010

PRESENT: Chairman, Joseph Sullivan, Mayor of the Town of Braintree; Bill Alexopolous, President of the Randolph Town Council

ABSENT: Robert Powilatis, Chairman of the Holbrook Board of Selectmen; Tom Cummings, Holbrook Superintendent of Public Works/Holbrook-Randolph Joint Superintendent; David Zecchini, Superintendent of Randolph Public Works Dept.

ALSO PRESENT: Deborah Carlino, Recording Secretary; Mike Walsh and Tyler Dunn of Camp Dresser & McKee, Inc.; Matt Feher of Pannone Lopes Devereaux & West; Lou Dutton; Dave Murphy, Randolph Town Manager; members of the press and public

Chairman Sullivan opened the meeting at 11:18 a.m.

Chairman Sullivan stated for the record that all three Towns were notified and invited to this meeting. It was noted that Tom Cummings was on vacation and was not present today. It was further noted that Chairman Sullivan, nor did staff, hear from Mr. Powalitis as to whether or not he would be attending today's meeting.

MINUTES:

MOTION: by Mr. Alexopolous to approve the minutes of February 26, 2010

SECOND: by Chairman Sullivan

UNANIMOUSLY VOTED

NEW BUSINESS:

1. CDM Update

Mike Walsh advised the Board that with the recent rain during the spring, the dams have held up pretty well. He noted that Tyler Dunn was present today to provide an update to the Board re: the dam maintenance.

Mr. Walsh advised that all permits have been received re: the dredging. They have received an Order of Conditions from the Braintree ConComm and DEP that is valid until September 25, 2010. If an extension is needed, this action needs to be requested prior to August 24, 2010. CDM is ready to obtain procurement documentation, and start the next stage in the dredging process,

whenever the Board is ready to move forward. The dredging plan is to meet and/or exceed the capacity of the plan as designed.

Mr. Dutton advised that Staff and CDM are ready to start whenever the Board authorizes this action. They usually run down the reservoir in the fall, to be ready for the dredging which is done in the winter, in order to bring the reservoir back up in the spring for town usage.

Mr. Walsh noted that the previous contracts were done in two phases; one to dredging, take out the material and store it in order to dry; and the second phase was to remove the materials from the site. They would try to remove the material all in one season.

Mr. Walsh advised that CDM has been notified by DEP and/or DCR that combining the two existing plants into one plant is not an interbasin transfer. (the Board reviewed the "Cost Estimate Capital Summary for the TriTown Water Board, TriTown Plant v. MWRA, 20 Year Projection".

The Board received and reviewed the letter from Dwight Dunk of CDM to Richard Bourre, Asst. Director of MEPA Unit at the Executive Office of Environmental Affairs re: "TriTown Board of Water Commissioners (TriTown), Replacement Regional Water Treatment Facility Project, Request For Advisory Opinion – Response To Comments" dated June 11, 2010.

*it was noted that this letter went to all three towns via cc: Honorable Joseph C. Sullivan, Town of Braintree, William Alexopolous, Town of Randolph, Robert A. Powilatis, Town of Holbrook, Robert Cutone, CDM, Michael Walsh, CDM with attachments.

Mr. Walsh further wanted to advise the Board that after much review by the State, it has been determined that there will be additional archaeological work at the proposed site.

Mayor Sullivan confirmed with Mr. Walsh that if legislation was not possible, then the TriTown Board could construct the new plant in the conventional manner.

Mr. Walsh advised that this was possible using the current breakdown between towns (48, 37, 15) for payment of expenses and creating a 100% build out using the existing plans.

2. Dredging Status

Tyler Dunn advised the Board that the dam process is proceeding as far as it can go without further authorization by the Board. Back in December, 2009, the Board authorized CDM to move forward, based on that authorization; they have completed what they can such as field work, surveys, subsurface investigation and flagging. They are working towards the remediation for the lower dam. The

Board needs to review the result and authorize CDM to complete the other half of the work/contract. The Board needs to comply with dam safety orders. They have done a visual observation and all appears to be in okay shape. Based on the rain storms in March, the water rose, there was some overlapping in the lower dam that was not damaging. The upper dam does have some erosion concerns that needed repairs; however, all seems to be okay as of right now.

Mr. Walsh noted that the dam is fundamentally in good shape, however there are issues that need to be addressed.

Mr. Dunn further advised that the Office of Dam Safety met with Tom Cummings and they were concerned with the findings of CDM re: the safety issues. However, the major issues seem to be hydraulic concerns. A topo survey still needs to be done as well.

3. Status of Tri Town

Mayor Sullivan stated and Mr. Alexopolous agreed that there was ample notice to all parties of this meeting today. However, Mayor Sullivan noted that the last correspondence and meeting held by this Board was back on February 24th when the Board received a letter from Mr. Powalitis re: Holbrook's intent to break away from TriTown. There needs to be decisions made as to whether or not Holbrook will be responding. Mayor Sullivan advised that he will send a letter to Holbrook, with a copy of Randolph and ask what Holbrook's status is.

Mayor Sullivan further stated that Braintree plans to move forward with or without Holbrook and Randolph. They have the land, they have the need and they plan to move forward. Mayor Sullivan stated that he would like to partner with Randolph in this venture and asked Mr. Alexopolous and Mr. Murphy what they felt was the best interest for Randolph.

Both Mr. Alexopolous and Mr. Murphy agreed that they would like to move forward on a new plant; however, it was questioned as to legally could Holbrook pull out of the legislation that creates TriTown. It was noted that Randolph needs to do something as well.

Mayor Sullivan stated that he likes the idea of remaining independent and not having to depend on the MWRA and all its expenses and costs.

Mr. Murphy also noted that Randolph was reviewing the Holbrook/Randolph Joint Board to see legally what can be done. The best case scenario would be for Randolph to partner with Braintree for a new plant. He has had discussions with Mike Yunits, Town Administrator of Holbrook and unfortunately, Mr. Yunits gets the same results as this Board does when discussing this matter with Mr. Powalitis.

Mayor Sullivan and Mr. Alexopolous authorized CDM to move forward, with caution, due the non-payment issues of Holbrook. They would like to keep moving forward, however, CDM needs to keep in mind they are only being paid 2/3 of their payment.

Atty. Feher noted that the legislation is ready to be filed; and the Board needs to keep in mind that the session ends July 31st.

Mr. Walsh advised that CDM has been working in good faith over the last few months and will continue to do so in order to keep this project moving forward.

Other Business:

Mr. Dutton advised the Board that the Richards Reservoir pump station was in deplorable condition. There has been more vandalism, leaking, etc. He has tried to contact BETA Eng.; however they have not returned his calls. He would invite the Board to come by and review the station.

DATE OF NEXT MEETING:

July 16, 2010 at 11:00 a.m. at Braintree Town Hall in the Cahill Auditorium.

It was unanimously voted to adjourn the meeting at 12:30 p.m.

Respectfully submitted,
Deborah Carlino
Recording Secretary

Robert Powilatis, Clerk