

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

**MINUTES**

**July 22, 2009**

**PRESENT:** Chairman, Joseph Sullivan, Mayor of the Town of Braintree; Joseph A. McElroy, P.E., FACI, FSAME, Randolph Public Works Chairman; Robert Powilatis, Chairman of the Holbrook Board of Selectmen

**IN ATTENDANCE:** Tom Cummings, Holbrook Superintendent of Public Works/Holbrook-Randolph Joint Superintendent; David Zecchini, Superintendent of Randolph Public Works Dept.; Lou Dutton, Director, Water Treatment Plant

**ALSO PRESENT:** Deborah Carlino, Recording Secretary; Robert Cutone, Peter Lynch, Mike Walsh of Camp Dresser & McKee, Inc.; Teno West, Esq. of Pannone Lopes Devereaux & West; William Repoff; David Murphy, Randolph Executives Secretary; Christine Stickney, Braintree Planning; Mike Attardo; members of the press and public

Chairman Sullivan opened the meeting at 10:05 a.m.

**RE: Design/Build Updates  
-Owner's Representatives  
CDM/Teno West, Esq.**

Mr. Walsh provided an update re: the "Request for Expressed Interest" submittal and provided a handout re: same entitled, "TriTown Board of Water Commissioners, New Water Treatment Plant Design/Build Project RFEI Submittals – Contact List". It was noted that there were 20 requests for information/documentation, however, only 11 submittals. Even if there are companies out there that did not respond to the RFEI, they can still respond to the RFQ when it goes out to bid. The RFQ cannot go out until the legislation is enacted. When the legislation is finalized CDM will be ready to move on the RFQ and begin the process.

Mr. Walsh provided the Board with the updated "TriTown Water Board of Commissioners New Water Plant Design/Build Project Overview of the Draft Request for Qualifications (RFQ)"; which was reviewed and discussed.

**MINUTES:**

MOTION: by Mr. McElroy to approve the minutes of June 12, 2009, as amended

SECOND: by Mr. Powilatis  
UNANIMOUSLY VOTED

**RE: Design/Build Updates (cont)  
-Owner's Representatives  
CDM/Teno West, Esq.**

Mr. West provided a brief update re: the proposed legislation. He noted that he has not heard anything yet from the Atty. General's Office and/or the State legislatures offices.

The Board reviewed a letter dated July 20, 2009, drafted by Mr. Powilatis to Mayor Sullivan re: the proposed legislation and his concerns re: the proposed design/build joint water plant.

There were many points contained in said letter that the Board reviewed and further, discussed amendments that could be made to the proposed legislation.

Mr. McElroy explained that he originally did not want the design/build process; however, he listened with an open mind to Mayor Sullivan and the consultants and after much discussion and thought, he voted unanimously to move in this direction. It was mentioned that this project will move faster, which we need because both plants are very old and need a lot of work/maintenance. However, he has stated many times, that the process needs safeguards in place to keep some control over the project. During the construction process there will need to be someone on site on a daily basis keeping an eye on things.

Mr. West stated that they have put forth very stringent controls over this project; it is not wide open as most design/build projects can be. This project is being controlled by the oversight of CDM's designs.

Mr. McElroy noted that any changes put forth would have to be as good if not better than what has been designed. This process will help eliminate cheap substitutions.

After a lengthy discussion re: the proposed amendments to the legislation contained in the letter as written by Mr. Powilatis, Mayor Sullivan offered to further review the amendments put forth for further discussion at the next meeting.

Mr. Lynch provided to the Board a memo dated July 22, 2009, entitled, "TriTown Water Treatment Plant Project Status".

Further, Mr. Lynch provided an Application for Dept. of the Army Permit re: the Upper Reservoir Maintenance Project.

MOTION: by Mr. Powilatis to authorize Mayor Sullivan to sign on behalf of the TriTown Board the resubmittal to the Army Corp of Engineers re: the dredging of the Upper Reservoir  
SECOND: by Mr. McElroy  
UNANIMOUSLY VOTED

**OTHER BUSINESS:**

**RE: Discussion of payment of TriTown Bills**

Mr. Cummings explained that the bills for Teno West and CDM have not been paid to date. There needs to be clarification re: the formula for payment of same (i.e. 1/3, 1/3, 1/3; or 48, 37, 15). How is the payment to be determined?

Mr. Powalitis noted that the share of the payments should be based on consumption.

Mayor Sullivan suggested that he review the invoices and look into the payment of same; this will be put on the next agenda for discussion and resolution.

**RE: Point of Contact TriTown; William Repoff**

There was a lengthy discussion re: the need for Mr. Repoff's position at this time.

Mr. Powilatis asked if this position was advertised, posted, were there other applications, how the pay amount was reached, why it is so much and why this position is necessary now. The process is questionable and he would like to defer this position at this time.

Mr. Sullivan advised that he has been in contact with Randolph Executive Secretary, David Murphy re: hiring Mr. Repoff as the point of contact for TriTown. It was noted that nothing has been done to date with Randolph re: Mr. Repoff.

MOTION: by Mr. Powilatis to rescind the vote of the prior Board that was taken to hire Mr. Repoff and advertise, post, etc. the position as it should have been done in the beginning  
SECOND: by Mr. McElroy

**DISCUSSION:**

Mayor Sullivan stated that the previous action was taken in good faith by all involved. This new position will only help keep the process moving forward. This Board is stalled at this time, and he feels that this is unfair and this action should not be taken at this time. We need to have a point of contact at this time.

Mr. Powilatis stated that this position should be posted, advertised, interview candidates, and hire the best person for the job. It is very important that we follow proper procurement and action.

VOTE: 2:1 (against: Mayor Sullivan)

**DATE OF NEXT MEETING:** Wednesday, August 5, 2009, at 9:30 a.m.

It was unanimously voted to adjourn the meeting at 11:50 a.m.

Respectfully submitted,  
Deborah Carlino  
Recording Secretary

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Joseph McElroy, Clerk  
P.E., FACI, FSAME