

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

MINUTES

October 5, 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.

ALSO PRESENT: Deborah Carlino, Recording Secretary; Peter Lynch and Mike Walsh of Camp Dresser & McKee, Inc.; Teno West, Esq. and Robert Knychalski, Esq. of Pannone Lopes Devereaux & West; Christine Stickney, Braintree Planning; Mike Attardo; Henry Rota; Helen Gordon of Woodard & Curran; members of the press and public

Chairman Sullivan opened the meeting at 9:13 a.m.

MINUTES:

MOTION: by Mr. McElroy to accept the minutes of July 22, 2009

SECOND: by Mr. Powilatis
UNANIMOUSLY VOTED

It was also noted that there was a site visit held on September 3, 2009, that Mr. Powilatis, Mayor Sullivan and Mr. Lynch attended. This visit was to allow Mr. Powilatis to view the proposed site of the new treatment plant.

- RE: Design/Build Updates**
- Owner's Representatives
 - CDM/Teno West, Esq.**
 - Special Legislation
 - Request for Qualifications
 - Request for Proposals
 - Building design considerations
 - Site considerations
 - Permitting

Mr. West advised that he was waiting for direction from the Board re: the special legislation and the design/build.

Mr. Walsh provided a handout entitled, "TriTown Water Board of Commissioners, New Water Plant Design/Build Project, Overview of the Draft Request for Qualifications" for review and comments. The Board was advised that there were 20 responders; however several of those interested parties have teamed up. They are getting the final documents ready so that when the special legislation happens, they RFP/RFQ are ready to go out.

It was suggested that the Board schedule a special meeting in order to review and discuss the documents; perhaps a workshop so that CDM and Atty. Teno can receive feedback from the Board. It was further suggested that legislators be invited to a future meeting so there will be no confusion as to what this Board plans to do and the necessary legislation in order to move forward.

There was a brief discussion re: the project and MEPA, DEP and the Mass. Historical Commission needing to review the site. It was suggested that CDM forward a letter to the Mass Historical Commission and invite them to view the site and potentially determining if there is any action needed by their agency re: this project. It should be noted to Mass Historical that there have never been any historical artifacts found at this site.

Mr. Cummings spoke about a water main project done in Holbrook that was reviewed by the Mass Historical; Holbrook wrote to Mass Historical and asked that they reduce their review

MOTION: by Mr. McElroy to authorize CDM to respond in writing on behalf of the TriTown Board to the Mass Historical Commission re: the proposed analysis of the site not being warranted
SECOND: by Mr. Powilatis
UNANIMOUSLY VOTED

Mayor Sullivan referred to a letter dated September 2, 2009, to the Chairman of the Holbrook Board of Selectmen re: what Braintree could and would do with re: to this project; and a response letter from Holbrook dated September 29, 2009.

There was a lengthy discussion re: the proposed site and why it was chosen, necessary permitting, estimated costs, etc. It is noted that it is more cost wise to do a water cross vs. the conventional construction all the way around the site. The layout of the building creates a conference room that could accommodate groups for trainings. It was suggested that the Board review the design and layout of the interior of the building.

Mr. McElroy noted that the new building needs to be handicap accessible; therefore an elevator is needed; also the elevator could be used for equipment movement throughout the building.

Mr. Powilatis asked if this was a water treatment plant or is it an office building.

Mr. Walsh advised that first they draw the building and then they fit what the Board requires/needs within. The footprint of the building fits the process. The process drives the footprint and they fit what they can within. Further, the Board needs to discuss what it will allow for substitutions (i.e. Building materials).

There was a brief discussion re: the Mayor's letter dated September 2, 2009 re: the stimulus money, the cost of the project, sharing the expenses, etc.

Mayor Sullivan noted that the Town of Braintree will assume the building operations of the building. The Town will work with BELD to review alternate energy sources (i.e. a potential MET tower). The personnel will be covered by each town, as is done currently and each town will pay for usage.

Mr. Powilatis spoke re: the special legislation to modify and clarify it to be more reasonable; the construction costs should be equitable and divided proportionately among the three towns. The three towns should pay for what they use. There needs to be an agreeable solution to cost sharing and pay a share based on consumption. He would suggest that Holbrook could go to 20% and the other towns would cover the remainder. The Town of Holbrook has not grown it has actually gotten smaller over the past 35 years.

Mr. Zecchini noted that any stimulus money and/or grants that the project received would be divided among the three towns based on utilized proportionate payments based on the percentage paid by each of the three towns, rather than equally divided among the three towns.

RE: Dam Status; upper pond

Mr. Lynch provided a handout dated September 12, 2008, from DCR re: the "Order to Conduct a Dam Safety Phase I Inspection". The Board was advised that as of October 23, 2009, the final changes to the report will be completed and then submitted to DCR/Dam Safety. They hope to have both dam analysis documentation done/completed by the end of October and ready for submission.

The Board asked if Tyler Dunn from CDM could attend the next meeting in order to review the dam status.

RE: Dredging status:

Mr. Lynch advised that he was in the process of getting the dredging re-permitted so that this project can move forward. An archeological study may be required and as this is a large site, which could delay things.

OTHER BUSINESS:

RE: Discussion of payment of TriTown Bills

Mayor Sullivan advised that he has reviewed the bills and Braintree has paid its share of the bills. The Town of Braintree has satisfied its requirements.

Mr. Powilatis stated that in his opinion the Board lacks procurement hiring standards and procedures. He questioned why the Board needed to hire Atty. Teno West when all three towns have town counsels.

Mayor Sullivan stated that Mr. West is nationally recognized for this type of work.

Mr. Powilatis expressed concerns re: why/how the law firm is paid. What is the share of the bills; how is the percentage figured out?

DATE OF NEXT MEETING: Friday, October 23, 2009, at 9:00 a.m.

It was unanimously voted to adjourn the meeting at 11:20 a.m.

Respectfully submitted,
Deborah Carlino
Recording Secretary

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