

THE COMMONWEALTH OF MASSACHUSETTS

BRISTOL SS

At a meeting of the Bristol County Commissioners holden in Taunton within and for the County of Bristol on the fourth day of January A.D., 2023 by successive adjournments from the September term of the previous year.

Present: Commissioner Paul B. Kitchen (joined the meeting at 4:13 pm), Commissioner John R. Mitchell and Commissioner John T. Saunders.

Commissioner Mitchell called the meeting to order at 4:01 pm.

Also in attendance at the meeting Maria Gomes, Scott Aguiar, Sherrilynn Mello and Derek Costa.

Commissioner Mitchell announced that the meeting was being recorded.

Notice was previously received from the Bristol County Agricultural High School regarding the following employment matters:

1. Kevin Braga	Account payment change	Effective 11/21/22
2. Kathleen White	Account payment change	Effective 01/03/23
3. Cheryl Avery	Permanent PT Food Service	Effective 12/21/22
4. Shelly Buckley	Account payment change	Effective 9/06/22
5. Bethany Boudreau-Santilli	Account Payment change	Effective 8/22/22
6. Linda Cestodio	Account payment change	Effective 8/30/22
7. Justin Gadry	JV Baseball Coach	Effective 12/20/22
8. Stephanie Moriarty	Pay increase-new degree	Effective 12/19/22
9. Kevin Braga	Return to Principal Asst. Sup.	Effective 1/01/23
10. Michael Almeida	Sub Utility-pay change	Effective 1/1/23
11. Margaret De Barros	Sub Cook- pay change	Effective 1/1/23

Notice was received from Barry J. Amaral, Register of Northern District on the following employment matter:

1. Linda Kanabay	Retirement	Effective 1/13/23
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Notice was received from Sherrilynn Mello, Register of Southern District on the following employment matter:

1. Scott M Aguiar	Exec. Administrator/Operations	Effective 1/9/23
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Notice was received from Bernard J. McDonald III, Register of Fall River on the following employment matter:

1. Pedro M. Raposo	Assistant to the Register	Effective 1/9/23
(contingent on receiving paperwork, pre-employment exam and CORI)		

Notice was received from the Commissioner's Office on the following employment matter:

1. Scott M. Aguiar	Termination as Facilities Superintendent	Effective 1/8/23
2. Leo Dumas	On FMLA	Effective 12/5/22

A motion was made by Commissioner Saunders, second by Commissioner Mitchell to approve the CP's as presented and noted above.

The following warrants were previously approved and noted for the minutes:

Payroll Warrant #23059	12/22/22	\$190,438.93
AP Warrant #23060	12/27/22	\$471,359.40
Payroll Warrant #23061	12/29/22	\$201,477.04
Payroll Warrant #23062	1/05/23	\$183,982.60

A motion was made by Commissioner Saunders, second by Commissioner Mitchell to approve the minutes of December 13, 2011.

A motion was made by Commissioner Saunders, second by Commissioner Mitchell to rescind the vote of December 13, 2022 to pay **MV Electrical Contractors** \$1,342.14. It was noted that this was a duplicate invoice. Motion carries.

Upon motion of Commissioner Saunders, second by Commissioner Mitchell, it was voted to approve and forward to the Treasurer's Office for payment, charging the appropriate authority, an **Invoice #16**, dated December 8, 2022, in the amount of **\$1,550.00** to **Valerio, Dominello & Hillman, LLC**, One University Avenue, Suite 300B, Westwood, MA 02090.

To be paid to Vendor #7806 from 030-09-000-1430-00-48-4-00-52235.

A letter was received from the Chairman of the Bristol County Retirement Board, Christopher Saunders. The letter noted that the retirement board had approved an increased COLA to retirees and in order to pass the County Commissioners would need to vote on the increase.

Upon motion of Commissioner Saunders, second by Commissioner Mitchell it was voted to accept the **additional 2% COLA** increase for Bristol County retirees for Fiscal Year 2023 on the base amount of \$18,000 (pursuant to M.G.L. c.32, Section 103). This COLA increase, in addition to the 3% previously adopted for FY 23, will become part of the fixed amount of the retiree's retirement allowance.

The Retirement Board would be made aware of the vote.

Upon motion of Commissioner Saunders, second by Commissioner Mitchell, it was voted to approve and forward to the Treasurer's Office for payment the **Massachusetts Municipal Association, 3 Center Plaza – Suite 610, Boston, MA 02108** dues membership invoice #125505 in the amount of **\$485.00**.

To be paid to Vendor #7657 from 13420/52234.

A snow plowing proposal was received from the facilities superintendent to plow the three building in New Bedford. Commissioner Mitchell asked about the reason for only one quote. He asked that even though not required, that next year, more quotes are requested.

Upon motion of Commissioner Saunders, seconded by Commissioner Kitchen, it was voted to award the FY '23 snow plowing and shoveling contract for the *New Bedford Registry of Deeds, the New Bedford Superior Court and the New Bedford 3rd District Court*, as stated in the proposals dated October 21, 2022, to **Jake Fleurent, 4 Jeannette Street, Fairhaven, MA 02719**.

Vendor #7321, to be paid from the appropriate building accounts.

A proposal was received from Jose Cardoza for a door and wall buildout that had been requested by the judge at the New Bedford 3rd District Court. Commissioner Kitchen asked that the matter be tabled until such a time that the appropriate request is received in writing from the judge so that the matter of funding can be reviewed. A motion was made by Commissioner Saunders, second by Commissioner Mitchell to table the request until the letter was received from the judge.

A motion was made by Commissioner Saunders, second by Commissioner Mitchell to table item #11. Motion carries.

Facilities Superintendent, Scott Aguiar stated that there has been a basement water issue at the Taunton Registry of Deeds building when there is a heavy rain situation. He proposed having the driveway drain uncovered. He presented a proposal from Jose Cardoza Contracting.

Upon motion of Commissioner Saunders, second by Commissioner Mitchell it was voted to accept the proposal of **Jose Cardozo Contracting Co.**, dated December 29, 2022 in the amount of **\$3,248.00**, to repair the external drain between the Taunton Superior Court and the Taunton Registry of Deeds building.

To be paid to Vendor #2893 from 10613/52299.

Upon motion of Commissioner Saunders, second by Commissioner Mitchell, it was voted to approve the estimate from **Advance Air & Heat Company Inc** dated 12-27-22 in the amount of **\$700** to replace *a heater blower motor* located at the side entrance at the *New Bedford 3rd District Court*.

To be paid to Vendor #540 from 10618/52269 when invoiced.

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, amending the vote of December 7, 2022, it was voted that the BRISTOL COUNTY COMMISSIONERS approve the attached **Close-Out Agreement** ("Final Agreement") with Gilbane Building Company ("Gilbane") the general contractor on the Bristol County Agricultural High School Building Project ("Project") and pay **Gilbane \$2,336,500.00** as provided in that Final Agreement, from the County's American Rescue Plan Act (ARPA) funds as provided in the Commission's separate vote on December 7, 2022, and further that the Commission approves a final payment to the Project's architects **HMFH Architects, Inc.** in the amount of **\$70,000.00** for construction management fees incurred since the expiration of the County's contract with HMFH Architects, Inc. on December 31, 2021 and to pay the Project's manager **Colliers Project Leaders USA NNE, LLC** a final payment in the amount of **\$193,500.00** for its construction management fees incurred since December 31, 2021 upon the expiration of its Amended Contract with the County, it being the intent of the Commissioners and the effect of these payments totaling \$2,600,000.00 and the Final Agreement to conclude and make final payments to all of these contractors and all of the subcontractors on the said Project as provided in the Final Agreement with Gilbane.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes

Mr. Kitchen yes
Motion carries.

Upon motion of Commissioner Saunders, second by Commissioner Mitchell, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application #1113 from **Bristol County** for **\$193,500.00** as submitted and approved through the Bristol County ARPA Portal.

To be reimbursed to the School Building Project account # from the **County's Revenue Replacement ARPA** funding as designated by the County Treasurer. [Previously paid to Colliers Project Leaders USA NNE, LLC]

It was noted that on December 23, 2022 there was a significant rain and wind storm that caused damage to the interior arch area inside the Taunton superior Court, above the main staircase, causing the staircase to be roped off.

Upon motion of Commissioner Kitchen, second by Commissioner Saunders, it was voted to direct Facilities Superintendent Scott Aguiar to prepare and file the emergency waiver request to DCAMM to address the open mortar joints repointing that caused the water leak and interior damage to plaster as a result of the severe rain and wind storm on December 23, 2022.

It being the first Wednesday of January 2023, Bristol County Commissioner Paul B. Kitchen administered the oath of office to Sherrilynn M. Mello, Southern District Register of Deeds who was elected to the office in the November 2022 election.

The next Commissioner's meeting will be held next Tuesday at the Bristol County Agricultural High School, Student Commons 100 Center Street Dighton, MA in the 2nd floor small conference room at 4 pm.

A motion was made by Commissioner Mitchell, second by Commissioner Saunders to adjourn at 4:35 pm.

APPROVED

DATE

1/10/2023
[Signature]
[Signature]
BRISTOL COUNTY
COMMISSIONERS