

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 seventh day of December A.D., 2022 by successive adjournments from the September term of the same year.

Present: Commissioner Paul B. Kitchen, Commissioner John R. Mitchell and Commissioner John T.

Saunders joined remotely.

Commissioner Kitchen called the meeting to order at 4:00pm.

Also in attendance at the meeting Maria Gomes, Scott Aguiar, Barry J. Amaral and Derek Costa.

Commissioner Kitchen announced that the meeting was being recorded.

Received a notice from Bristol County Agricultural School on the following employment matters:

1. Susan A. Resendes	termination	Effective 11/23/22
2. Kerrie Blanchard	Off FMLA	Effective 11/21/21
3. Allison Slaney	Termination as Long Term Sub	Effective 11/23/22
4. Allison Slaney	Substitute Teacher	Effective 11/28/22
5. Danielle Chevalier	Off FMLA	Effective 11/28/22
6. Derek Costa	Termination as Bus. Manager	Effective 11/22/22
7. Derek Costa	Hired as Superintendent/Director	Effective 11/23/22
8. Katie Kochan	Senior Class Advisor	Effective 09/01/22
9. Diane Hopkins	Freshman Class Advisor	"
10. Craig Johnson	Geek Club	"
11. Kathryn Zuber	National Honor Society Adv.	"
12. Kathleen Reilly	Yearbook Advisor	"
13. Sarah Couto	Drama Club	"
14. Samantha Hussey	Sophomore Class Advisor	"
15. Tamara Stevens	Junior Class Advisor	"
16. Michael Almeida	Sub Utility Person/Sub Dishwasher	Effective 12/08/22

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

On the motion, Roll Call

Mr. Saunders yes
Mr. Mitchell yes
Mr. Kitchen yes

Motion Carries

The following warrants were reviewed /previously approved:

Payroll Warrant #23050	11/23/22	\$190,749.13 (previously approved)
AP Warrant #23052	11/29/22	\$613,230.48 (previously approved)
Payroll Warrant #23051	12/01/22	\$187,185.15 (previously approved)
Payroll Warrant #23054	12/08/22	\$244,295.64 (previously approved)

A motion was made by Commissioner Mitchell, second by Commissioner Saunders to read into the record the Warrants as presented and previously approved electronically.

On the motion, Roll Call

Mr. Saunders yes
Mr. Mitchell yes

Mr. Kitchen yes
Motion carries.

A motion was made by Commissioner Mitchell, second by Commissioner Saunders to approve the minutes of November 15, 2022.

On the motion, Roll Call

Mr. Saunders yes
Mr. Mitchell yes
Mr. Kitchen yes
Motion carries.

A communication was received from the New Bedford Planning Board regarding the parking area at 195 Kempton Street in New Bedford. A copy of the decision was provided.

A motion was made by Commissioner Mitchell, second by Commissioner Saunders to receive and place on file.

On the motion, Roll Call

Mr. Saunders yes
Mr. Mitchell yes
Mr. Kitchen yes
Motion carries

The next item on the agenda was to review and certify votes for the position of Register of Deeds for the Southern District.

Administrator Gomes presented the vote tallies received from Acushnet, Dartmouth, Fairhaven, New Bedford and Westport. Sherrilynn M. Mello ran unopposed.

In accordance with M.G.L. Chapter 54, Section 121, it being the first Wednesday of the month following the election, the Commissioners examined copies of the records of votes for the *Bristol County Register of Deeds Southern District in New Bedford, MA* to determine what person appears to be elected and to issue certificates of election to them and give notice to the State secretary.

A motion was made by Commissioner Mitchell, seconded by Commissioner Saunders to declare duly elected, after checking the votes cast at the last State Election, for Bristol County Register of Deeds Southern District, **Sherrilynn M. Mello**, and certify that her term of office under the 2022 election begins the first Wednesday of January 2023 for a period of two years from said date.

On the motion, Roll Call

Mr. Saunders yes
Mr. Mitchell yes
Mr. Kitchen yes
Motion carries

The certification will be sent to the Secretary of the Commonwealth and Ms. Mello would be notified to appear before the County Commissioners to be sworn in on January 4, 2023.

Upon motion of Commissioner Mitchell, seconded by Commissioner Saunders, it was voted to approve and send to the Treasurer's Office for payment, in accordance with the documentation invoice # BCC01112222 received from Catherine Rutkowski and Lara Stone, Co-Executive Directors, **Children's Advocacy Center of Bristol County for November operating expenses**, the amount of **\$2,500.00**

It is noted this is for vendor # **6891** and will be charged to **01000-54490**.

On the motion, Roll Call

Mr. Saunders yes
Mr. Mitchell yes
Mr. Kitchen yes
Motion carries.

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted, in accordance with the recommendation of Peter Carreiro, Benefits Coordinator, to forward to the Treasurer's Office for payment, invoice dated November 23, 2022 from the **MIIA Health Benefits Trust, One Winthrop Square**, in the amount of **\$383,475.45** for the County of Bristol Monthly Membership Premiums for **December 2022**.

To be paid to Vendor #7778 from the following accounts:	Account #01-21581	\$383,186.25
	Account #13420-54437	\$ 289.20

On the motion, Roll Call

Mr. Saunders yes
Mr. Mitchell yes
Mr. Kitchen yes
Motion carries.

Upon motion of Commissioner Mitchell, seconded by Commissioner Saunders, it was voted to purchase # 2 fuel oil for the **Taunton Court Complex, New Bedford Superior Courthouse** and the **New Bedford Registry of Deeds**, under the State OSD No. 2 Heating Fuel Contract (ENE 45) from **Global Montello Group Corp.** 800 South Street, Waltham, MA 02454, effective October 1, 2022 through September 30, 2023, to be purchased at a fixed differential price to be applied to the daily changing lowest wholesale Boston Price, as published daily in the Oil Price Daily an OPIS Publication, Less than Truckload Differential pricing (0.1056) is applicable for all deliveries under 8,000 gallons. Truckload Differential Pricing (0.0264) is applicable for deliveries of 8,000 gallons or more.

Vendor #**4052** to be charged to the appropriate building accounts.

On the motion, Roll Call

Mr. Saunders yes
Mr. Mitchell yes
Mr. Kitchen yes
Motion carries

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and forward to the Treasurer's Office for payment, charging the appropriate authority, an **Invoice #15**, dated November 10, 2022, in the amount of **\$3,125.00** 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.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

ARPA Program and Funds Allocation

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application #1098 from the City of Fall River for \$47,000 as submitted and approved through the Bristol County ARPA Portal. This is an addendum to application # 1077, previously approved.

To be paid to Vendor #538 from the ARPA funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application #1049 from the City of Taunton for \$80,535.41 as submitted and approved through the Bristol County ARPA Portal.

To be paid to Vendor #200 from the ARPA funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application #1078 from the City of Taunton for \$56,000.00 as submitted and approved through the Bristol County ARPA Portal.

To be paid to Vendor #200 from the ARPA funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA

Application #1102 from the **City of Taunton** for **\$6,935.00** as submitted and approved through the Bristol County ARPA Portal.

To be paid to Vendor #200 from the **ARPA** funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application #1100 from the **City of Taunton** for **\$10,000.00** as submitted and approved through the Bristol County ARPA Portal.

To be paid to Vendor #200 from the **ARPA** funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application #1073 from the **City of Taunton** for **\$560,000.00** as submitted and approved through the Bristol County ARPA Portal.

To be paid to Vendor #200 from the **ARPA** funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application #1083 from the **City of Taunton** for **\$458,589.54** as submitted and approved through the Bristol County ARPA Portal.

To be paid to Vendor #200 from the **ARPA** funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application **#1099** from the **City of Taunton** for **\$66,000.00** as submitted and approved through the Bristol County ARPA Portal.

To be paid to Vendor **#200** from the **ARPA** funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to approve and authorize the ARPA Director and County Treasurer Christopher Saunders to distribute funds related to the ARPA Application **#1088** from the **Town of Westport** for **\$112,000.00** as submitted and approved through the Bristol County ARPA Portal.

To be paid to Vendor **#5171** from the **ARPA** funding as designated by the County Treasurer.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

Upon motion of Commissioner Mitchell, seconded by Commissioner Saunders, it was voted to approve the reimbursement of 75% of sick time used by **Lauren Harwood** (#21078) of the Bristol County Agricultural High School in the amount of **\$454.59**.

It is noted this is a sick time buy back check which will be applied toward Ms. Harwood's' sick time with Bristol County due to an automobile accident.

On the motion, Roll Call

Mr. Saunders	yes
Mr. Mitchell	yes
Mr. Kitchen	yes
Motion carries	

The next item to be discussed under the ARPA line item is a discussion regarding the HVAC system at the Taunton Registry of Deeds building. Facilities Superintendent Aguiar indicated that he had walkthroughs with three different companies in the building to assess what type of replacement system to install. The consensus was to go with a split system. An RFP will be necessary to receive proposals. Units with both heating and cooling capabilities will be the goal.

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted to authorize Facilities Superintendent Scott Aguiar to prepare a Request for Proposal for the Taunton Registry of Deeds building

for the replacement/installation of HVAC units to address the cooling and heating of areas after determining the scope of work needed.

On the motion, Roll Call

Mr. Saunders yes

Mr. Mitchell yes

Mr. Kitchen yes

Motion carries.

The system cost could be submitted through the ARPA Portal for funding.

The next discussion involved the Settlement Agreement for the Bristol County Agricultural School building project and the use of Revenue Loss funding through the County's American Rescue Plan Act funds.

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted that the BRISTOL COUNTY COMMISSIONERS approve the attached Close-Out And Settlement 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 this day, 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 Mitchell, second by Commissioner Saunders, it was voted that the BRISTOL COUNTY COMMISSIONERS allow **Bristol County to use \$2.6 million** of the \$10 million dollars in Revenue Loss funds available to the County under the American Rescue Plan Act (ARPA) and that this amount only shall be made available at this time for this particular use to close-out the Bristol County High School building project and that the Bristol County Commissioner's expressly do not determine now how the balance of these Revenue Loss funds will be used or allocated otherwise, and such determination is reserved to a future time.

On the motion, Roll Call

Mr. Saunders yes

Mr. Mitchell yes
 Mr. Kitchen yes
 Motion carries.

Upon motion of Commissioner Mitchell, second by Commissioner Saunders, it was voted that the BRISTOL COUNTY COMMISSIONERS approve the payments to the following entities on the Bristol County Agricultural High School Building Project as a final payment to each of these entities, and that said payments shall be made from the County's American Rescue Plan Act (ARPA) Revenue Loss funding, as follows:

Gilbane Building Company \$2,336,500.00;

Colliers Project Leaders USA, NNE LLC. \$193,500.00;

HMFH Architects, Inc. \$ 70,000.00;

The County shall forthwith, upon approval by of the Commissioners of this \$2,600,000.00 payment from these ARPA funds submit the appropriate applications for payment.

On the motion, Roll Call

Mr. Saunders yes
 Mr. Mitchell yes
 Mr. Kitchen yes
 Motion carries.

No executive session is needed.

A motion was made by Commissioner Saunders, second by Commissioner Mitchell to adjourn at 4:36 pm.

On the motion, Roll Call

Mr. Saunders yes
 Mr. Mitchell yes
 Mr. Kitchen yes
 Motion carries.

APPROVED

DATE

12/13/22

[Signature]

[Signature]

**BRISTOL COUNTY
 COMMISSIONERS**