

GREATER FALL RIVER VOCATIONAL SCHOOL DISTRICT
HOUSEBUILDING/FACILITIES SUB-COMMITTEE MINUTES
251 STONEHAVEN ROAD, FALL RIVER, MA
DISTRICT OFFICE CONFERENCE ROOM
OCTOBER 25, 2023

In attendance: Donald DiBiasio of Somerset, Joan Menard of Fall River and Paul Jennings of Westport

Also in attendance: Brian Bentley, Superintendent-Director, and Gregory Brilhante, Legal Counsel

Remote attendance: Jeffrey Begin, Andrew Rebello, Paul Kitchen, Maria Torres, Jeffrey Cabral and Helena Neves

The meeting began with a roll call at 5:17 p.m.

Mr. DiBiasio stated that the reason for the meeting is to address the 23/24 housebuilding project and the issues with the homeowners attaining the proper insurance coverage.

Mr. Bentley stated that he and Mr. Kitchen had a telephone conversation with Mr. Murphy from HUB Insurance regarding the insurance coverage. Mr. Murphy informed them that there are still some issues with the most recent information the homeowners provided. There are some omissions on the certificates of liability and the project's insurance is viewed as a commercial to homeowners. Attorney Brilhante stated that normally when building a project, Diman requests to be named as additionally insured. The issue is when there's a business to homeowner situation, the homeowner cannot have Diman as additionally insured.

Mr. DiBiasio asked how has this been handled in the past and how will it be handled in the future if a homeowner cannot add Diman to the policy. Attorney Brilhante stated that one of the past project's contract has the same language and it's signed but the District is not able to verify how the insurance was arranged. The District can add a strong indemnification clause to the contract to protect itself in future projects.

Attorney Brilhante stated that changes were made to the proposed contract and a strong indemnification clause was added and sent to the homeowners. At that time the homeowners informed the District that a crane was going to be onsite which this then created further problems and concerns of safety. The homeowner also made an additional request to be added to Diman's insurance policy.

Attorney Brilhante stated that the bigger issue became when the homeowners notified the District that other work was being done simultaneously as to when the students would be onsite. At that point HUB Insurance, the District's insurance broker, stated that in order for our students to be fully insured the other contractors needed to name Diman as additionally insured.

Mr. DiBiasio stated that the insurance requirements need to be clear and spelled out on the application. Applicants need to be aware of the requirements prior to completing the application so that there's not another situation like this. Attorney Brilhante agreed and further stated that the issue with this project was that there were substantial changes made to the original approved project. The homeowners initially did not inform the District that there would be other work done simultaneously that involved building a pool and using a crane which then changed the insurance requirements.

Mr. DiBiasio stated that the District is very much interested in housebuilding projects but unfortunately due to the insurance issues that have come up with this project it's not feasible to continue.

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Mrs. Torres stated that she was disappointed that things couldn't be worked out. She stated that the homeowners have the foundation in and now don't have anyone lined up to finish the project. Mrs. Torres further stated that if the insurance issues were resolved the students would have been able to complete the project. Mr. DiBiasio stated that he totally understands the frustration but if the insurance issues have not been resolved than there's no point in continuing.

Mrs. Torres asked how the insurance is handled for all the other community projects and if students should be pulled off those projects. Mr. Kitchen stated that there's no need to pull off students as all municipalities are self-insured and carry liability insurance. The process needs to be revisited to make sure our students are fully insured and the applicants know the requirements. The application and contract need to be revised and an example of a certificate of insurance added as a reference for applicants.

Mrs. Torres asked how the insurance will be handled for non-profit organizations projects. Mr. Kitchen stated that is something that needs to be reviewed.

It was moved by Mr. Jennings, seconded by Ms. Menard and voted unanimously to not go forward with the project.

It was moved by Mr. Jennings, seconded by Ms. Menard and voted unanimously to adjourn the meeting at 5:36 PM.

Respectfully Submitted

Helena S. Neves

Helena S. Neves, Executive Secretary

Materials Included:

None