

Greater Fall River Vocational School District  
MSBA Oversight Committee Minutes  
251 Stonehaven Road, Fall River, MA 02723  
April 25, 2023

The meeting was called to order at 3:30 p.m. by Chairman Donald DiBiasio, with the following persons in attendance: Fr. Jay Mello, Brian Bentley, Rebecca Collins, Paul Kitchen, and Glenn Benevides

Also in attendance were: Andrew Rebello, Greg Joynt, KBA, Kevin Chamberland, Suffolk, Erin Kenney, Suffolk, Christian Riordan, Suffolk, Tim Alix, Colliers, Kristen Hodges, Colliers, Charles Roberts, Colliers, Alan Minkus, Colliers, Attorney Brilhante, Maria Torres, Katie Warren, Myles Brilhante, Kathryn Dufour and Helena Neves.

Mr. DiBiasio called for a roll call.

It was moved by Mr. Bentley, seconded by Mr. Benevides and voted unanimously to dispense with the reading of the February 6, 2023 minutes and approved them, as recorded.

Mr. DiBiasio stated that a meeting was held on April 14, 2023 with the Mayor Coogan and representatives of the City of Fall River. The topics of discussion were the opposition of the Geothermal, parking, traffic flow, site planning, and neighbor relations.

Mr. DiBiasio deferred to Attorney Brilhante on the discussion of the email dated 4/18/2023 and letter dated 4/10/23 from Paul Ferland, Administrator of Community Utilities for the City of Fall River relative to geothermal wells.

Attorney Brilhante provided a brief overview of the correspondence received from Mr. Ferland opposing the geothermal wells. The District, Colliers, KBA and Suffolk met with city representatives to discuss the plans for the new building. Mr. Ferland at that time made it clear to the team that the city was not in favor of allowing the geothermal system. At the meeting, Mr. Ferland stated that he could not in good conscience approve the system due to the risk it poses to the water supply. Attorney Brilhante stated that after the initial meeting, Mr. Ferland issued a letter of opposition.

Attorney Brilhante reiterated what was said by Mayor Coogan and Mr. Ferland at the April 14<sup>th</sup> meeting. They made it very clear that they would not approve the geothermal system and the District needed to come up with an alternative. Mr. Ferland stated that although there isn't a specific permitting process by which geothermal would be reviewed, approved or denied, he is part of the comprehensive permitting site plan review and has the right to reject geothermal.

Fr. Jay asked if Mr. Ferland has the final say and if there's an appeal process.

Attorney Brilhante stated that the first step would be to register the geothermal project with DEP. Mr. Ferland has stated that he is likely to appeal. Attorney Brilhante further stated that it's unclear if the appeal would be directly through the Fall River Water Board

Mr. Jennings joined the meeting at 3:35 PM.

Ms. Collins stated that anyone has the right to appeal a denial by a municipality but is unsure of what the process is.

Attorney Brilhante stated that the Diman Project was on the Fall River Water Board's April 4, 2023 meeting agenda. A vote was taken to have Mr. Ferland meet with the Diman Team and report back.

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Fr. Jay asked if approval has been received from DEP.

Mr. Joynt stated that there has been correspondence with DEP in which Mr. Ferland was included on. DEP has stated that they don't have any concerns with the design. DEP's registration process involves having the design finalized and having a drilling contractor onboard. DEP has revised regulation to reduce the amount of regulatory burden on closed loop systems in comparison to open loop systems. The proposed closed loop system offers a fairly low risk. The purpose of the registration is to make sure DEP is aware of the design, to ensure the contractor is qualified to do the work and to see if there unapproved chemicals will be used. A formal registration would require the District to hire a contractor.

Mr. DiBiasio stated that it is his understanding that in Massachusetts, municipalities and towns can set their own regulations. A very clear message was received from the City of Fall River representatives that they will not approve the geothermal system. To continue the project with the geothermal system will cost the District money and time and an alternative should be discussed.

Mr. Joynt has prepared a presentation and will go into more detail on the proposed geothermal system and the alternatives. Mr. Joynt stated that the proposed system has been designed in compliance with all applicable regulations. The City of Fall River does not have any specific statutes governing geothermal systems. Local regulations typically are governed by the local board of health but are typically in relation to public or private drinking water wells.

Attorney Brillhante stated that currently there are no regulations in place that would govern geothermal. Attorney Brillhante reiterated Mr. Ferland's position that placing the geothermal system this close to the water reservoir is not worth the risk and that Mr. Ferland's decision to oppose the system is not based on regulation or documented concern but it is based on the concern of what will happen years down the road.

Mr. Chamberland stated that if the City of Fall River is the permitting authority and they have decided that the reason to not issue a permit is the proximity to the water reservoir, an appeal may not even be possible.

Mr. Bentley stated that Mr. Joynt's presentation to the city representatives was on point as to why geothermal was a good option for the project but their message of opposition was very clear. Is the project dead if it moves forward with geothermal? Mr. Joynt stated that to the best of his knowledge once there's a stopping point at site plan review, it throws the project off. Ms. Collins provided an example of a project in the city that has not been able to be occupied because of the permitting and appeal process.

Mr. Jennings asked what the alternative systems are.

Mr. Joynt provided an overview of alternative system options. Mr. Joynt stated that ASHRAE Baseline System offers a code minimum building that is based on prescriptive requirements and it was used for comparison purposes only.

### **Geothermal – Current design**

The benefits of this system is simplicity of the system, the energy cost savings, minimal annual maintenance and simplified system operation. This system offers the lowest energy usage and cost, highest redundancy, the lowest control complexity, the highest utility rebates and no impact on design.

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**Option 1 – Modular Air-to-Water Air-Source Heat Pumps**

This option replaces the ground loop heat exchangers with multiple air-to-water air-source heat pumps. Due to the potential reduction in heating capacity in low ambient temperatures, supplemental energy is anticipated to be needed during the peak winter months. This system offers low energy usage, medium energy cost, medium redundancy, medium control complexity, medium to high utility rebates and low impact on current design.

**Option 2A – Packaged Rooftop Units with ASHP Heat, VRF and DOAS Units and All-Electric Heating**

**Option 2B – Packaged Rooftop Units with ASHP Heat, VRF and DOAS Units and Gas Auxiliary Heating**

Options 2A and 2B are basically the same system. Option A uses electric hot water boilers and option B uses gas hot water boilers for heating and cooling. The two options offer low energy usage, medium to high energy cost, low redundancy, high control complexity and medium to high utility rebates. Both options have a high impact on design, design cost and schedule.

**Option 3 – Conventional Condensing Boilers and Water-Cooled Chillers**

This option uses conventional gas-fired, condensing hot water boilers and water-cooled chillers with cooling towers. This option does not meet the MSBA baseline energy requirement for reimbursement or the additional 2%. Option 3 offers high energy usage, highest energy cost, medium redundancy, the lowest controls complexity and low utility rebates. Option 3 is not recommended by the systems engineers.

There was further discussion on the impact to the project by changing from geothermal to an alternative. Alternatives pros and cons such as additional costs, savings, usage of high pressure gas, cost of utility line, and schedule delays were discussed.

Ms. Collins asked if a solar system is an option for electric heat. Mr. Joynt stated that MSBA does not participate in solar cost and it would be up to the District to finance it. Mr. Joynt further stated that the site is not the greatest for a solar system.

Ms. Collins asked a question pertaining to redundancy and shut downs. Mr. Joynt stated that when a VRF system fails it can turn into a long term shut down due not being able to get parts. Mr. Joynt stated that the geothermal system wells and equipment have a life cycle of 50 years. Option 1 only has a 25 year life cycle which will have higher replacement costs and in turn will cost the District more. Fr. Jay stated that the sending communities need to be made aware of the potential increase which will affect their assessment. Mr. Joynt stated that the numbers have been re-run based on upfront costs. The numbers presented are projections in order to compare the different system options. A more detailed estimate will provide a better idea of costs but the project is in line with other similar projects and puts the system in the same cost per square foot range.

Mr. DiBiasio asked if savings will be attained by the removal of the geothermal. Attorney Brillhante asked what the cost of running the high pressure gas is. Mr. Joynt stated that budget numbers have changed but savings will depend on escalation and the cost of materials.

Mrs. Torres asked if VE alternatives will be put back in the project due to the removal of the geothermal system. Mr. Joynt stated that the maintenance out building can potentially be brought back into the project.

Mr. Alix stated that it's too early and there are many moving parts to know if VE alternates will be brought back. The Team will have a better idea once 60% and 90% construction documents are submitted. If the market corrects, savings will be realized. Mr. Alix further stated that the removal of the geothermal system will delay the project and add additional costs to the budget.

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Mr. DiBiasio asked for input on how to proceed. Do members want to appeal which will place the project on hold or select an alternative system and moved forward. Any changes will affect the project's timetable. Mr. Chamberland agreed that these changes will affect the timetable and the January 2026 move in is no longer doable. Mr. Joynt stated that the Team meets biweekly to discuss timetable and site logistics. Not moving in during the winter months has some potential benefits.

Mr. DiBiasio called for a motion and asked Mr. Joynt what the engineers recommend as an alternative. Mr. Joynt stated that the systems engineers have recommended option 1 as the best replacement to geothermal. This option offers less equipment and a more simple management of the system.

It was moved by Ms. Collins, seconded by Mr. Jennings, and voted unanimously on a roll call with Mr. DiBiasio, Mr. Jennings, Fr. Jay, Mr. Bentley, Mr. Kitchen, Mr. Benevides and Ms. Collins voting yes to move forward with Option 1- Modular Air-to-Water Air-Source Heat Pumps.

Mr. DiBiasio stated that the recommendation will be presented to the School Building Committee for their approval. Mr. Joynt has prepared a presentation and there will be a discussion as to why the geothermal system was removed from the project.

Mr. DiBiasio deferred to Mr. Alix on agenda item #6. Mr. Alix stated that there has been some miscommunications with representatives of the sending communities. Mr. Alix recommended that Mr. Bentley be the point of contact person for the District to field questions related to the project. Assigning one person will keep a consistent and standardized process to distribute information. Mr. DiBiasio stated that when pertinent information needs to be shared with the sending communities, Mr. Joynt will provide it to Mrs. Neves to be forwarded to the respective sending community representatives. Mrs. Neves will send notification of the vote taken to remove the geothermal system and replace it with Modular Air-to-Water Air-Source Heat Pumps.

There was further discussion on how best to disseminate information to the four sending communities and how to field questions from neighbors.

Mr. Alix stated that the design phase is not as involved but once construction starts there will be more information provided. Having a single source to get information from is important. Mr. Bentley can funnel questions to Colliers, KBA or Suffolk to get correct answers. Mr. Alix further stated that he can, at certain project milestones, meet with the sending communities.

Attorney Brillhante stated that a key contact person from each community needs to be identified in order to distribute information to the correct person. Mr. Alix stated that he will reach out to the sending communities. Mr. Alix stated that once construction starts there will be a bigger presence onsite and he will be more actively involved. Dr. Warren suggested having a community coffee where anyone can attend and get updates. Mr. DiBiasio stated that he is already working with Mr. Bentley to arrange a community breakfast.

Mrs. Torres asked who is responsible for updating the MSBA webpage. Mr. Bentley stated that webpage updates falls under the webmaster's job responsibilities. Mr. Bentley will work with Mr. Byrne's to update the webpage. Mr. Roberts stated that as the project moves forward more information will become available and neighborhood meetings will start taking place. He has met with the District to plan site logistics and will disseminate information as plans are finalized.

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Fr. Jay asked what new estimated timeline is.

Mr. Chamberland stated that the new move in timeline will most likely be the summer of 2026 if construction starts in December 2023.

Mr. Joynt stated that he is confident that the design team can make the new changes and revisions in six weeks. The construction period will be roughly thirty months.

Mr. Kitchen asked when the project schedule will be updated. Mr. Joynt stated that the schedule will be updated by Suffolk Construction. Mr. Kitchen asked when the cash flow will be established and expressed concern regarding the bond interest which needs to be paid by December. Mr. Kitchen further stated that this delay is costing the sending communities more money. Fr. Jay stated that it's important that representatives from the sending communities know that one person's decision will ultimately have financial impact that will affect all four communities.

The next meeting will be scheduled for May 15, 2023 at 3:30 PM in the District Office Conference Room.

Mr. Joynt notified members that there will be contract amendments that will be made available for the May meeting.

It was moved by Fr. Jay, seconded by Mr. Benevides and voted unanimously to adjourn the meeting at 5:313 PM.

Respectfully submitted,

*Helena S. Neves*

Helena S. Neves, Executive Secretary

Materials:  
Geothermal/Alternatives Presentation