

Clive McFarlane: Deal with courthouse developer was 'slap in the face'

Wednesday

Posted Dec 14, 2016 at 6:00 AM

By [Clive McFarlane](#)
Telegram & Gazette Staff

[Follow](#)

For years now, Manny Gines, an organizer with the New England Regional Council of Carpenters, has stalked Brady Sullivan.

He says he's committed to documenting labor and construction improprieties of the New Hampshire-based real estate developer.

But despite reporting the company to the state on prevailing wage violations and other misdeeds a number of times, Brady Sullivan has continued to operate without being held accountable for its actions in any meaningful way, Mr. Gines said.

And it was a bitter pill to swallow, he said, when the city last year chose the developer to renovate the former Worcester County Courthouse, despite Mr. Gines' recitation to the City Council and the city manager of the many work-related violations he had unearthed.

He said he is as surprised as anyone that the company has pulled out of the project, just as it was scheduled to go before the city's Planning Board this month to seek plan approval and a special permit.

Brady Sullivan didn't give a reason for nixing the deal, at least not publicly. According to John Hill, spokesman for City Manager Edward M. Augustus Jr., the developer gave the city a reason. But the manager believes that it is the

company's prerogative whether to go public with its reason.

The company didn't reply to telephone messages seeking an explanation of its decision to abandon the courthouse project.

Mr. Gines believes his continued efforts to expose wrongdoing by Brady Sullivan played a role in the company's decision. It should be noted, he said, that the company's decision to walk away from the deal came shortly after a Nov. 30 report by New Hampshire Public Radio chronicling the alleged misdeeds of the company.

NHPR spoke to a couple who bought their home from Brady Sullivan in 2011, but later abandoned it after the house was overrun with mold and yeast that traveled through its HVAC system, leading them to become "sick with chronic colds and memory loss."

The state, according to the NHPR report, subsequently inspected 40 new homes built by Brady Sullivan, and found "450 building code violations, including walls that were not properly attached to floors, and houses that had not been securely fastened to their foundations."

This led to the developer being sued by the New Hampshire attorney general, who noted in the suit that the violations committed by the company, "render the homes potentially hazardous to their occupants."

The report also noted the following:

- In 2012 - less than a year after the state filed its lawsuit against the developer - the Evergreen Condominium Association in Laconia sued on behalf of approximately 70 homeowners, claiming Brady Sullivan left them with \$1.2 million in fire, safety and structural defects.

- The Environmental Protection Agency recently found Brady Sullivan responsible for creating the largest lead paint hazard in recent New England history, and dumping a likely carcinogen in a suburban community.

- In 2015, the Massachusetts Department of Environmental Protection and the EPA were considering a criminal investigation - according to emails - after regulators fielded a tip that a Brady Sullivan contractor had moved ten

truckloads of asbestos and lead from New Hampshire and buried it in the basement of a Lawrence, Massachusetts mill owned by Brady Sullivan. MassDEP and EPA both acknowledge an ongoing investigation regarding Brady Sullivan, but both say they are not at liberty to discuss the nature of those investigations.

Mr. Gines said he is familiar with all these cases, and that union organizers like him have provided many of the tips that led to state officials scrutinizing the work of the developer. He said he had also reported to the state several violations he found when the company was developing the Junction Shop Lofts on Beacon Street in Main South.

The state never followed up on those reports, he said, which included pictures he took showing "mold on wood covered by sheetrock."

Hopefully, he said, the city will in the future be more reluctant in doing business with developers with such a questionable track record.

"It was a slap in the face to the residents of Worcester and the commonwealth to see that the city was more interested in doing business with the company, than it was in the complaints and the facts we presented about the company's work history," he said.