

TAUNTON MUNICIPAL LIGHTING PLANT

MINUTES OF MEETING

TIME: Tuesday, November 23, 2021

4:00 PM – 4:45 PM

PLACE: Office of the Commission

PRESENT: Chairman Corr, Commissioner Blackwell, Manager Goulart, Ms. Holmes, Attorney Pollart (KP Law), Mr. Foley, Ms. Davine, Mr. October, Mr. Botelho, Mr. Strojny, Mr. Bell, Ms. Silveira, Mr. Worthington, Mr. Baker, Mr. Medeiros, Ms. Britland, Mr. Sullivan, Mr. Tremont

Chairman Corr called the meeting to order.

Chairman Corr asked for a Moment of Silence for Ralph Potter Jr., a retired Lineman who passed away.

Chairman Corr called for a roll call.

Present

Commissioner Blackwell
Chairman Corr

Absent

Commissioner Martin

MINUTES OF OCTOBER 26, 2021

Motion by Commissioner Blackwell, seconded by Commissioner Corr to approve. Unanimous.

REGULAR WARRANT OF OCTOBER 28, 2021
REGULAR WARRANT OF NOVEMBER 4, 2021
REGULAR WARRANT OF NOVEMBER 11, 2021
REGULAR WARRANT OF NOVEMBER 18, 2021

Motion by Commissioner Blackwell, seconded by Commissioner Corr to approve. Unanimous.

COMMUNICATIONS:

Interoffice Communication from Peter Botelho & James Irving to Kenneth Goulart dated November 4, 2021: Subject: Change Order #20 to TGM Purchase Order #4500050878

Manager Goulart stated that the first two items are a wrap-up to the Annual Inspection as the Commission is aware.

Manager Goulart read the following memo into the record:

This memo is Change Order #20 request to PO #4500050878 for TGM to perform shim adjustment #2 bearing at the mid standard as needed due to excessive vibrations resulting in several trips during the latest runs.

Purchase Order History

MINUTES OF NOVEMBER 23, 2021

Current Approved Contract Price	\$3,876,088.40
C.O. #20 Bearing Adjustment	\$76,950.00
New Contract Total Price	\$3,953,038.40

Action Requested

Please secure the necessary approval for Change Order #20 to Turbine Generator Maintenance to perform a shim adjustment to the #2 bearing for \$76,950.

Motion by Commissioner Blackwell, seconded by Commissioner Corr to approve Change Order #20 to PO #4500050878 for Turbine Generator Maintenance (TGM) to perform a shim adjustment to the #2 bearing for \$76,950. Unanimous. 21-172

Interoffice Communication from Jim Irving and Peter Botelho to Kenneth Goulart dated November 17, 2021: Subject: GE Field Engineer Change Order #1

Manager Goulart read the following memo into the record:

This memo is Change Order #1 to PO 4500052687 for GE to provide additional days for on-site Mechanical Field Engineering Services to support the completion of the outage including several start-up and test runs.

Purchase Order History

Current Approved Contract Price	\$238,992.00
C.O. #1 Additional On-Site Field Engineering Service Days	\$44,384.00
New Contract Total	\$283,376.00

Action Requested

Please secure the necessary approve for Change Order #1 to GE for additional on-site Field Engineering Service Days for \$44,384.

Motion by Commissioner Blackwell, seconded by Commissioner Corr to approve Change Order #1 to PO 4500052687 for General Electric for additional on-site field engineering services days for \$44,384. Unanimous. 21-173

Recommendation for the Voluntary Contribution to the City of Taunton for Fiscal Year 2022

Manager Goulart stated that we read this letter into the record at the last meeting and I will re-read it for the Commission.

Manager Goulart read the following letter into the record:

The City of Taunton's Fiscal Year 2022 runs from July 1, 2021 through June 30, 2022. I respectfully request a Payment In Lieu of Tax in the amount of \$2,995,000 for Fiscal Year 2022. Please schedule this request on the next Commissioner's Meeting agenda. The Debt/Interest, Employee Benefits and Overheads will be requested as soon as the FY22 Final Budget is completed which usually happens around mid-November of each year.

Thank you, the Commissioners and your terrific employees for all of the assistance you provide for the City of Taunton and its taxpayers. We appreciate you!

Kind regards,

Mayor Shaunna O'Connell

Manager Goulart stated that the Commission had referred this to Management at the last meeting for a recommendation and we are recommending level funding at the request of \$2,995,000 for this year. For your consideration.

Motion by Commissioner Blackwell, seconded by Commissioner Corr to approve the recommendation from the Management team for level funding of \$2,995,000 for the voluntary contribution to the City of Taunton for fiscal year 2022. Unanimous. 21-174

Interoffice Communication from Kimberly Holmes to Kenneth Goulart dated November 18, 2021:
Subject: Organizational Adjustments

Manager Goulart stated that a few Commission meetings ago Ms. Kimberly Holmes, the appointee as next General Manager, put in front of you a request for a number of organizational changes. You do not actually have to vote on this today as you have already approved the changes but because these new positions are pursuant to the requested organizational changes I just want to get this in front of you as notification.

Manager Goulart read the following memo into the record:

Pursuant to the organizational changes submitted and approved at the September 26th Commission meeting, I'm requesting authorization to post the positions required to move forward with those changes. Specifically the positions of Financial Manager, Technology Services Manager and the Sustainability and Commercial Development Manager. Having these roles filled as soon as possible will help ease the transition when future retirements take place.

Manager Goulart stated we are going to move forward with the posting of these jobs which were part of the org chart adjustments which you have already approved. You may recall that Kim was still working on titles at the time of the approval so this notification outlines the actual adjustments. For your information.

October 26 Nor'easter Storm Report

The Commission invited Mr. Craig Foley to the table.

Mr. Foley stated this is the storm report from the storm of 10/26/2021 Nor'easter which was on a Tuesday. So typically on a storm that comes in like this we do a lot of planning on it and try to get everything together before the storm hits so we got together on Tuesday and made quite a few decisions. At first we believed this storm was going to start around 5 and or 6 PM and we kept all the crews and Customer Care and opened up the Call Center. Everything was quiet until 3 and or 4 in the morning when it became very windy and gusty. Since I was out in the field and Dana was first time running the office, I was being blown around. The winds continued from three in the morning until three in the afternoon. We lost 10 major feeders and we had widespread downed poles. Widespread outages in Berkley, Lakeville, West Taunton and Raynham so it was quite extensive. We lost 30 poles, 18 transformers and 150 house services had to be repaired. In my 30+ years this storm is probably in the top six and or seven worst storms we have had. We worked the first 42 hours straight and then worked in shifts. Everyone was back in for the most part on Saturday at 6 PM. After that there still was couple of

stragglers that had to get electricians. And to this day we are still cleaning up. Everyone did a great job, no injuries. Everyone is safe and I think we did a great job.

Commissioner Blackwell stated I agree with you. I know it is the toughest of times to work and what we say about the Police & Fire usually when people are running out of buildings they are running into them. Well it is just the opposite for utility workers. When it is terrible outside and everyone is heading into the house we are heading out. And I think it was one heck of a job that was done. I know the years that I have been involved with the TMLP it is probably one of the worst storms that I have ever remembered. The restoration time, even though it was a bit longer in some cases, were still fantastic in my opinion. I just want to take my hat off to everyone and thank everyone wholeheartedly for the job that they did.

Mr. Foley stated we did also bring in Mutual Aid crews from Wallingford, CT and Stowe, VT to help us out. They did a great job also.

Commissioner Corr stated I was working that night and Craig was out there and I did pass by him a couple of times and passed on some information and he took care of it right away.

Manager Goulart stated I will say for me, as a support person during the event, just observing everything that as it developed from an impact perspective it was almost like a hurricane-level impact. We have had bigger storms but when you started to look at the damage in the field and some of the fall-out from it, it was crazy with what these folks were dealing with trying to get services back up and running even just temporarily. Also, as the General Manager I would like to thank all of the employees that worked the storm because let's remember too, it is the Customer Service people answering the phones with people who are not happy calling in and I don't blame them. MIS support, the Cleary control room, the people providing the food and certainly Mutual Aid and Public Communications and the support just goes up and down the whole organization, it is the whole workforce working together when we are trying to get people back in power. So thank you to everyone. We did everything we could, no one got hurt and we got everyone back in service.

The Commission thanked Mr. Foley for the report.

Motion by Commissioner Blackwell, seconded by Commissioner Corr to authorize the payment of the General Manager and exempt management for the overtime worked during the storm. Manager Goulart clarified that the Commission only needs to approve the overtime for the General Manager. Unanimous.

21-175

Thank You Card – Storm Restoration

Manager Goulart stated this is just one example. We had a number of people reach out and extend their appreciation and you always hear the other side of it, but it is always nice to hear thank you, not that we need them, but it is great to know that people appreciate it. So we put this one card on the agenda as an example.

Manager Goulart read the following card into the record:

To TMLP,

Just wanted to say thank you very much for all of the hard work you guys did during the storm. Can't say thank you enough, you guys are a great group of guys.

Thank you,

Bill & Lori Stewart from the Oakhill Trailer Park in Taunton

Manager Goulart stated on behalf of the Commission I would like to thank all of the customers for their patience because some outages were definitely longer than we typically are used to.

Commissioner Blackwell stated that even though that was said, I read some of the customer's comments on social media and people were very cognizant of that saying it was a little bit longer then we typically have in Taunton but it was still a heck of a lot shorter than some of other places that they had moved from.

Manager Goulart added that their patience was very much appreciated.

Motion by Commissioner Blackwell, seconded by Commissioner Corr to receive the thank you card and place on file. Unanimous. 21-176

Letter from the Taunton Retirement Board to Kenneth Goulart dated October 26, 2021: Subject: Retirement of Michael McDermott effective January 6, 2022

Manager Goulart read the following letter into the record:

Please be advised of the retirement for Superannuation of Michael McDermott an employee of the Taunton Municipal Light Plant on January 6, 2022 under the provisions set forth in Section #5 of Chapter 32 of the General laws of Massachusetts.

Please pay regular compensation and accumulated benefits up to the day before retirement.

If you have any questions, please feel free to contact our office.

Respectfully yours,

Karen Medeiros, Assistant Executive Director

The Commission wished Mr. McDermott a long and healthy retirement.

ITEMS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE:

None

ANNOUNCEMENTS:

Chairman Corr announced that the next Commission meeting is scheduled to be held on Tuesday, December 21, 2021 at 4:00 PM.

Commissioner Corr stated "The next items on the agenda are executive session topics, one of which involves collective bargaining contract negotiations involving the TMLP unions. I note that Commissioner Blackwell and I have immediate family members employed by the TMLP who are members of two of those unions and that have a financial interest in the contract negotiations. Commissioner Blackwell, for the record, could you please state the facts that has created your conflict?"

Commissioner Blackwell stated "My son, Mark E. Blackwell, Jr., was hired by the TMLP on July 3, 1989, and continues to be employed by the TMLP. My son is an Electrical Plant Supervisor in the Power Production Department and is a member of the Taunton Municipal Lighting Plant Professional Employees Association. My son is an immediate family member who has a financial interest in the collective bargaining contract negotiations."

MINUTES OF NOVEMBER 23, 2021

Commissioner Corr stated "Thank you Mr. Blackwell. My wife, Kristine Sullivan-Corr, was hired by the TMLP on November 29, 2002, and continues to be employed by the TMLP as a Senior Clerk in the Accounting Group and is a member of the Local 462C union. My son, Mitchell Corr, has been hired by the TMLP and will begin employment on November 29, 2021 and will be a member of the Taunton Municipal Lighting Plant Professional Employees Association. My wife and my son are immediate family members who have a financial interest in the collective bargaining contract negotiations."

Commissioner Corr stated "For the record, (1) the Board of Commissioners does not have a sufficient number of members necessary to take a valid vote as a result of disqualification of members due to conflicts of interest concerning collective bargaining contract negotiations, (2) the Board of Commissioners has a legal obligation to negotiate and vote on collective bargaining contracts and no other board or authority may negotiate and vote on collective bargaining contracts for the Board of Commissioners. The Division of Labor Relations has determined that Light Boards are the collective bargaining agents for municipal light plants. See *Town of Marblehead and AFSCME*, Council 93, 7 MLC 1240, 1242 (1980); and (3) as a last resort, and based on advice from TMLP counsel, the rule of necessity is being invoked so that Commissioner Blackwell and I, who were disqualified, can participate in collective bargaining contract negotiations with the TMLP unions."

Chairman Corr stated that the next order of business is Executive Session for Competitive Advantage and Contract Negotiations.

Manager Goulart stated that we will not be returning to Public Session and will be adjourning in Executive Session.

Motion by Commissioner Blackwell, seconded by Commissioner Corr to go into Executive Session for Competitive Advantage and Contract Negotiations. (4:23 PM)

21-177

The Commission was recorded in a roll call vote to go into executive session as follows:

In Favor

Commissioner Blackwell
Chairman Corr

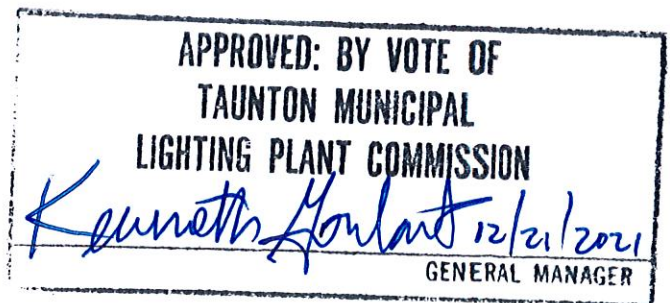
Absent

Commissioner Martin

Executive Session discussion.


SECRETARY

dmt



EXECUTIVE SESSION

Competitive Advantage

Manager Goulart and the Commission discussed numerous topics on this subject.

Contract Negotiations

Manager Goulart and the Commission discussed numerous topics on this subject.

Motion by Commissioner Blackwell, seconded by Commissioner Corr to adjourn. Unanimous. (4:45 PM)

21-178