

TAUNTON MUNICIPAL LIGHTING PLANT

MINUTES OF MEETING

TIME: Tuesday, February 15, 2022

3:00 PM – 5:12 PM

PLACE: Office of the Commission

PRESENT: Chairman Blackwell, Commissioner Corr, Commissioner Hebert, Manager Goulart, Ms. Holmes, Attorney Doukas (KP Law), Ms. Davine, Mr. October, Ms. Silveira, Mr. Melanson, Mr. Irving, Mr. Bell, Mr. Worthington, Mr. Boucher, Ms. Mitchell, Ms. Vohnoutka, Ms. Grant, Mr. DeMoura, Mr. Rogers, Mr. Hopkins, Mr. Strojny, Mr. Parrotta, Mr. Tremont, Mr. Botelho, Ms. Henault, Mr. Rodrigue, Mr. Corr, Mr. Clancy, Mr. Perkins

Chairman Blackwell called the meeting to order.

Chairman Blackwell called for a roll call.

Present

Commissioner Hebert
Commissioner Corr
Chairman Blackwell

Absent

MINUTES OF FEBRUARY 1, 2022

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

REGULAR WARRANT OF FEBRUARY 3, 2022

REGULAR WARRANT OF FEBRUARY 10, 2022

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

AUTHORIZATION TO ADVERTISE FOR SEALED BIDS AND/OR PROPOSALS:

Interoffice Communication from Jennifer Ready to Bill Strojny dated February 9, 2022: Subject: Envelopes

Manager Goulart read the following memo into the record:

As you know, we print and mail all of our invoices from in-house. We are in need of both window and return envelopes. Our current contract with Bay State Envelope is over and we need to go out for bid. I estimate the cost of envelopes to be approximately \$30,000 per year.

Motion by Commissioner Corr, seconded by Commissioner Hebert to authorize the request to go out for bid for window and return envelopes for an approximate cost of \$30,000 per year. Unanimous.

Interoffice Communication from Dana Sullivan to Ken Goulart dated February 7, 2022: Subject: Request for Sealed Bids for Transformers

Manager Goulart read the following memo into the record:

Item #1 Network Transformers

22-024

22-025

22-026

MINUTES OF FEBRUARY 15, 2022

Request to send out sealed bids for two (2) 500KVA Network Transformers with protectors. The cost of each is approximately \$112,500 for a total price of approximately \$225,000. The Network Transformers are needed for spare and additional network system hardening for the future.

Motion by Commissioner Hebert, seconded by Commissioner Corr to approve the request for sealed bid for two (2) 500KVA Network Transformers for an estimated cost of \$225,000. Unanimous. 22-027

Manager Goulart requested to go out of order to go into Executive Session to discuss Item (a) under Communications – Bargaining with the Coalition Bargaining Group.

Motion by Commissioner Corr, seconded by Commissioner Hebert to go out of order into Executive Session to discuss Item (a) under Communication - Discussion with the Coalition Bargaining Group. Unanimous. 22-028

Manager Goulart stated on discussion pertaining to the vote. Manager Goulart asked Ms. Doukas if the Commission should invoke the Rule of Necessity at this point before entering into Executive Session.

Ms. Doukas stated that they should invoke the Rule of Necessity before entering into Executive Session.

Chairman Blackwell 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 Corr 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. Commission Corr, for the record, could you please state the facts that has created your conflict?"

Commissioner Corr stated "Thank you Mr. Blackwell. My wife, Kristine Sullivan-Corr, is 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, is employed by the TMLP as a Resource Analyst in the Energy Supply & Planning Department and is 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 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."

Chairman Blackwell 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; and (3) as a last resort, and based on advice from TMLP counsel, the rule of necessity is being invoked so that Commissioner Corr and I, who were disqualified, can participate in collective bargaining contract negotiations with the TMLP unions."

The Commission was recorded in a roll call vote to go into executive session as follows: (3:07 PM)

In Favor

Commissioner Hebert
Commissioner Corr
Chairman Blackwell

Absent

Executive Session discussion.

Chairman Blackwell stated we are back in Regular Session. (4:20 PM)

COMMUNICATIONS:

Discussion and Potential Vote Regarding Coalition Bargaining Proposal

Manager Goulart stated that we have just concluded negotiations in Executive Session. The Commission did take a vote that we are going to basically come out, approve and ratify now as it applies to the terms that were provided to the Coalition in Executive Session.

Motion by Commissioner Hebert, seconded by Commissioner Corr move to approve the new collective bargaining agreements for Utility Workers Union of America, A.F.L. – C.I.O., Local 462; Utility Workers Union of America, A.F.L. – C.I.O., Local 462C – Office and Clerical Workers; American Federations of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1729; and Taunton Municipal Lighting Plant Professional Employees Association, upon such terms and form as set forth in the proposed new Agreements as negotiated with the Coalition Bargaining Group on behalf of the individual respective bargaining units, subject to acceptance by the parties. Unanimous.

Motion by Commissioner Corr, seconded by Commissioner Hebert that Exempt Management personnel get the same benefits as the Coalition Agreement that we voted on earlier. Unanimous.

Major Project Request – Unit 9 Gas Turbine Diesel Engine Overhaul

Manager Goulart read the Major Project Request into the record:

Project Title: Unit 9 Gas Turbine Diesel Engine Overhaul

Project Description: Perform an overhaul on the Unit 9 Gas Turbine Diesel Engine in order to support Unit 9 operation. (This project has been vetted by the Strategic Planning Committee.)

Project Justification: The Unit 9 Gas Turbine Diesel Engine, which is used to start the gas turbine, is in need of an overhaul as severe rusting was found inside the engine due to moisture infiltration from the Unit 9 stack. TMLP is addressing the moisture infiltration issue from the Unit 9 stack separately, but this overhaul is needed to repair the engine once the infiltration issue has been resolved.

Alternates Considered: Do nothing. This is not considered a viable option as the diesel engine is used to start the Unit 9 Gas Turbine, including during a black start scenario.

Budget Estimate: Project Start Year: 2022

Total Amount Requested: \$75,000

Motion by Commissioner Hebert, seconded by Commissioner Corr to approve the Major Project Request for Unit 9 Gas Turbine Diesel Engine Overhaul for a budget estimate of \$75,000. Unanimous.

Commissioner Blackwell speaking on the Motion. Where is the moisture infiltration coming from? What are we doing to remedy that situation?

Commission invited Mr. Peter Botelho and Mr. James Irving to the table.

Manager Goulart stated the Unit 9 diesel exhaust stack feeds into the duct work because of the changes to the EPA regulations.

Mr. Botelho stated in 2013 there was some modifications that had to be done to get our licenses renewed and this was one of the requirements. At that time the diesel exhaust exhausted into the atmosphere. The ruling was that we had to install a 180' stack on its own for the diesel exhaust. A decision was made in 2013 to tie it into the breeching of the stack. An unintended consequence is that you are actually pulling in cold air into the intake and because it doesn't have exhaust valves that whole engine is under a huge vacuum. The remedy is to install mechanisms through the logic into the exhaust pipe that is tied into the breeching to stop that but it has to be all logic controlled because if you physically block it there will be a lot more problems. It is going to be remedied through the gas turbine control operator.

Commissioner Hebert asked if the fix on the gas turbine is the logic is that going to be done when the overhaul is done on the diesel. What is the timing on that?

Mr. Botelho responded the timing is that we are going out for bid for the parts so that is why we are looking at \$35,000 in May and do the labor during the outage of 2023.

Mr. Botelho and Mr. Irving left the table.

Major Project Request – Unit 8 Stack Preservation

Manager Goulart read the following Major Project Request into the record:

Project Title: Unit 8 Stack Preservation

Project Description: With the decommissioning of Unit 8, the Unit 8 stack should be preserved for potential future use, as well as for safety reasons. (This project has been vetted by the Strategic Planning Committee.)

Project Justification: The Unit 8 stack is a TMLP asset. As such, it should be preserved. Preservation will include capping the stack opening, painting its exterior surface and cleaning any debris on its interior floor.

Alternates Considered: 1) Do nothing. This option would not be prudent as the stack would deteriorate to the point that it would become a safety hazard. This option, therefore, is not recommended.
2) Demolish the stack. This option would be more costly and eliminate any potential use of the stack in the future. This option, therefore, is not recommended.

Budget Estimate: Project Start Year: 2022

Total Amount Requested: \$100,000

Motion by Commissioner Corr, seconded by Commissioner Hebert to approve the Major Project Request for the Unit 8 Stack Preservation for a budget estimate of \$100,000. Unanimous.

22-033

Major Project Request – Unit 9 Stack Repair

Manager Goulart read the following Major Project Request into the record:

Project Title: Unit 9 Stack Repair

Project Description: The Unit 9 stack needs to be repaired in order to support Unit 9 operation. (This project has been vetted by the Strategic Planning Committee.)

Project Justification: An inspection of the Unit 9 stack was performed in May 2021. The results of this inspection showed the need to repair the gunite inner diameter material, the cap ring and the grout below

the lower base ring. Additionally, the inspection showed the need to clean and repaint various components of the stack. Realizing that the stack exhaust temperature can get to approximately 900 degrees F depending on the mode of operation, the need to perform these repairs is crucial to protect the stack's integrity.

Alternates Considered: Do nothing. This option is not considered to be viable. The Unit 9 stack is a critical component to the operation of Unit 9 and needs to be repaired for integrity and safety reasons.

Budget Estimate: Project Start Year: 2022
Total Amount Requested: \$250,000

Motion by Commissioner Hebert, seconded by Commissioner Corr to approve the Major Project Request for the Unit 9 Stack Repair for a Budget Estimate of \$250,000. Unanimous. 22-034

Major Project Request – West Water Street Diesel Generator Sets – Spare Parts

Manager Goulart read the following Major Project Request into the record:

Project Title: West Water Street (WWS) Diesel Generator Sets – Spare Parts

Project Description: Purchase spare parts to support reliable operation of the four WWS diesel generator sets. (This project has been vetted by the Strategic Planning Committee.)

Project Justification: Operating the WWS Diesel Generator Sets during hourly monthly peaks significantly reduces ISO-NE capacity and transmission charges. Having spare parts on-site for these diesel generator sets (including their ancillary systems) are required to minimize downtime associated with performing preventative maintenance and emergency repairs. Hence, these spare parts will assist in optimizing the diesel generator sets reliability and availability.

Alternates Considered: Purchase no spare parts. This option is not recommended as this would hinder the reliability and availability of the four diesel generator sets in order to reduce ISO-NE capacity and transmission charges.

Budget Estimate: Project Start Year: 2022
Total Amount Requested: \$100,000

Motion by Commissioner Corr, seconded by Commissioner Hebert to approve the Major Project Request for the West Water Street Diesel Generator Sets – Spare Parts for a budget estimate of \$100,000. Unanimous. 22-035

Major Project Revision #4 – Unit 9 Major Outage 2021

Manager Goulart stated this is the last Major Project Budget Request Revision on the table and also the last for the 2021 outage as a revision. As the Commission is aware I brought before you a number of emergency orders during the outage because we could not wait to get those tasks done as far as the timeline and the critical path for the outage. This last Major Project Budget Request Revision is just an accounting piece for transparency purposes for everyone to know what the final bill was on the outage costing so we can appropriately budget.

Manager Goulart read the Major Project Revision into the record:

Project Title: Unit 9 Major Outage 2021 (Rev. 4)

Project Description: (Reference original Major Project Request Form 1183) **Rev. 4:** This Major Project Budget Request is the final Major Project Budget request for an additional; \$1.2 million to support project close out. This request captures all remaining and outstanding costs, which included the previously approved change orders required to successfully close out the Major Outage of 2021.

Project Justification: **Rev. 4:** This project will help to ensure Unit 9's reliability, maintain unit efficiency and extend the unit's useful life.

Alternates Considered: **Rev. 4:** None

<u>Budget Estimate:</u>	Project Start Year:	2020	
	Amount of this Request:	\$1,200,000	(Rev. 4)
	Total Approved to Date:	\$7,405,000	
	Amount Spent to Date	\$8,212,000	
	Total Amount Requested:	\$8,605,000	

Motion by Commissioner Hebert, seconded by Commissioner Corr to approve the Major Project Request for the Unit 9 Major Outage 2021 (Rev 4) in the amount of \$1,200,000.00 for a total budget estimate of \$8,605,000.00. Unanimous. 22-036

Manager Goulart spoke on the motion, both For the Public and for Commissioner Hebert, because he was not here for the 2021 outage. It should be noted that the extra money was not because of any miscalculation or under-budgeting. We found significant additional work that needed to be done through the inspections that were done during the outage that required us to come back to the Commission. That is why this budget went above and beyond the original inception. I should say that the Unit now is in a much better condition than it was prior to the outage. We are all really happy for that. I just wanted to make that comment for the record.

Letter from the City of Taunton Department of Public Works to Kenneth Goulart dated January 28, 2022: Subject: Property Cleary-Flood Generating Station

Manager Goulart stated at the last meeting under Items Not Reasonably Anticipated I had just broached this subject without discussion about this letter which impacts the Cleary Flood Generating Station property but also impacts some other projects that are in the pipeline for the future.

Manager Goulart read the following letter into the record:

The City of Taunton has an approved Final Environmental Impact Report and Comprehensive Wastewater Management Plan (Plan), October 2020. This document is the result of years of planning by the City's Department of Public Works along with its consultant BETA Group. The document details the City's wastewater planning infrastructure for the next 20 years. As a result of this planning effort, the City is currently undergoing a major upgrade to the Wastewater Treatment Plant totaling over \$100 million.

The Plan also forecasts the City's future additional residential, commercial and business development associated with wastewater infrastructure needs. Most of this growth will require additional wastewater treatment and flow capacity at the City's wastewater treatment plant. The Environmental Protection Agency (EPA) and Massachusetts Department of Environmental Protection (MassDEP) currently regulate the City's Wastewater discharge permit to the Taunton River. The discharge limit is currently 8.4 million gallons per day annual average. The City's Comprehensive Wastewater Management Plan identifies 10.2 million gallons per day of future planned wastewater discharge. The EPA and MassDEP will not presently allow any additional flow to the Taunton River. Therefore, the City's only other option for

additional wastewater discharge is to find land options for the disposal of treated wastewater. The City has located three sites that can potentially fulfill the City's planning needs. We have included the relevant section of the Comprehensive plan that details the three potential sites. This has received preliminary approval of the Plan from all pertinent reviewing agencies in the Commonwealth of Massachusetts.

One of the designated sites is a group of parcels to the south of the Cleary-Flood Generating Station that Taunton Municipal Lighting Plant and the City of Taunton owns. This is an area of about 10 acres that is relevant to the future wastewater planning needs of the City. As you know we have been working with your personnel over the last few years to outline the area needed to the south of the Generating Station. The City has performed a number of soil tests on the parcels and has determined that the site is suitable for treated waste water disposal. Treated wastewater will be pumped to the designated site. The site would use underground pipes to discharge the effluent into the ground. Therefore, the site would be suitable for additional use with solar panels after construction of the field is complete.

We are therefore requesting that you allow the City to utilize this site for future effluent disposal. The next steps are additional planning, permitting, testing, hydrogeologic modeling and design. We of course will work with your department throughout the process.

Very truly yours,

Fred Cornaglia, Commissioner, Department of Public Works

Commissioner Corr asked do we need a Motion to allow that.

Manager Goulart stated we have been working with the City on this for quite a while and it has always been an informal conversation up to this point. There are benefits to the TMLP. I do not want to speak for the incoming General Manager but I will speak from a legacy perspective. There are benefits for the TMLP as far as we want to do a community solar field on that site or something along those lines. This would save the ratepayer money as we would develop that land because the City would take the burden of developing that land. There is also the Taunton Pathways Committee to consider. If the DPW does this and we build a community solar field on that site as we intend, we can then build the access road which could have the pathway trail contiguous to that access road. What I would recommend to the Commission, if you don't mind, is to refer this to Management, let us go through a formal negotiation process as far as what the give and take will be and then we can come back to the Commission with the DPW, provide a joint presentation to the Commission and the Public as to what we want to do over the next couple of years with that land and everyone will be in the know and the Commission could vote on it at that point.

Motion by Commissioner Corr, seconded by Commissioner Hebert to refer the letter from the City of Taunton Department of Public Works to Management for further review. Unanimous.

22-037

Manager Goulart added that I will note that we, in essence, without having worked this out yet in principal are in favor of recommending moving forward to the Commission.

Request from the City of Taunton for Additional Brackets and Poles for Banners

Manager Goulart stated as the Commission may have noticed driving around the city that from time to time we have been having these banners on the George Washington posts honoring our veterans and it has been a great thing. We basically done this in town and the City is asking us to expand past the area where we do this work and that is what this email is about.

Manager Goulart read the following email into the record:

Good morning,

I hope this finds you well. I have met with the local Veterans organizations and the Honor Our Military Committee regarding the military banners. As I am sure you are aware, these banners were an enormous success last year. The Mayor's office received calls all year inquiring about future opportunities to have loved one's military service displayed. Therefore, we expect more applicants this year then brackets and poles are offered. Our question to TMLP would be, is it possible to extend the Honor Our Military banner display into Whittenton and the Weir?

Respectfully,

Karen Grossi-Pemberton

COVID-19 Coordinator, Mayor's Office

Manager Goulart stated I had Craig Foley along with Dana Sullivan do an analysis as to what it would take to expand into Whittenton and the Weir and we are looking at roughly 30 or 31 more poles and the materials cost for that is roughly \$18,000 which is not significant when it comes to the overall cost, it is just the timing. It looks like we are having some issues on getting parts. We are looking at a 6 month delay in receiving parts and that is why we are putting it before the Commission today. Our recommendation is to approve moving into Whittenton and the Weir.

Motion by Commissioner Hebert, seconded by Commissioner Corr to approve the request for additional poles and brackets to extend the Honor Our Military banner display into Whittenton and the Weir. Unanimous.

22-038

Commissioner Corr speaking on the motion. Do we have the poles there already?

Manager Goulart responded that the poles are there we just need to buy the brackets that would hold the banners up.

American Public Power Association (APPA) Recognition of Service – Craig Foley

Manager Goulart read the following into the record:

CERTIFICATE OF APPRECIATION

Craig Foley – Taunton Municipal Lighting Plant

For outstanding service as Chair of the Transmission & Distribution Committee.

Signed: Joy Ditto, President & CEO

Manager Goulart stated that APPA is the national organization that covers all the municipal light plants and other municipal electric authorities in the country and he has not only been on this committee but also a number of other committees as well. I know he will be retiring soon but this is not something to be taken lightly and wanted to put this before the Commission.

The Commission congratulated Craig on receipt of this award. Quite an honor.

Letter from the Taunton Retirement Board to Kenneth Goulart and the Commission dated February 4, 2022: Subject: Retirement of Brett Baker effective April 6, 2022

Manager Goulart read the following letter into the record:

Please be advised of the retirement for Superannuation of Brett Baker an employee of the Taunton Municipal Light Plant on April 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

Manager Goulart stated that Brett is a 34 year employee of the TMLP.

The Commissioner wished Brett all the best and health and happiness in his retirement.

Motion by Commissioner Corr, seconded by Commissioner Hebert to receive the letter of retirement for Brett Baker and place on file. Unanimous.

22-039

ITEMS NOT REASONABLY ANTICIPATED 48 HOURS IN ADVANCE:

None

ANNOUNCEMENTS:

Chairman Blackwell announced that the next Commission meeting is scheduled to be held on Tuesday, March 15, 2022 at 4:00 PM.

Public Service Announcement:

Manager Goulart read the following email into the record:

TMLP has contracted with GreatBlue Research to conduct our 2022 Customer Satisfaction Survey. This survey will be administered from February 14th through March 12th, 2022. This year we are conducting both digital and phone surveys.

If you receive any calls or inquiries from our customers, please let them know, GreatBlue Research has been commissioned by TMLP to conduct customer surveys on our behalf. GreatBlue Research is not selling anything and will NEVER ask for personal or financial information. We hope our customers will take the time to answer the survey as the information is critical to TMLP in providing the highest level of service possible.

Manager Goulart stated - For the Public – GreatBlue has been hired by the TMLP. If someone else calls and asks for personal information do not give it to them. GreatBlue will not ask for any personal information but they will be asking how you feel about the TMLP.

Chairman Blackwell stated that the next order of business is Executive Session for Executive Session pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with

MINUTES OF FEBRUARY 15, 2022

non-union personnel or union personnel and to conduct contract negotiations with non-union personnel or union personnel – Coalition Bargaining Group Discussion and Competitive Advantage

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

Motion by Commissioner Hebert, seconded by Commissioner Corr to go into Executive Session for reasons cited by Chairman Blackwell. (5:03 PM)

22-040

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

In Favor

Absent

Commissioner Hebert
Commissioner Corr
Chairman Blackwell

Executive Session discussion.



SECRETARY

dmt

APPROVED: BY VOTE OF
TAUNTON MUNICIPAL
LIGHTING PLANT COMMISSION


GENERAL MANAGER

EXECUTIVE SESSION

Discussion and Potential Vote Regarding Coalition Bargaining Proposal

The Commission and members of all Unions discussed the Coalition Bargaining Proposal.

Motion to go along with a two year contract (2022 – 2023) at a 3% common increase for each year, Safety Incentive of \$3,000, Juneteenth Holiday and Funeral Language to be same in all contracts.

Roll Call Vote:

Commissioner Hebert – In Favor
Commissioner Corr – In Favor
Commissioner Blackwell – In Favor

Motion by Commissioner Corr, seconded by Commissioner Hebert to return to Regular Session.
Unanimous. (4:28 PM)

EXECUTIVE SESSION

Executive Session pursuant to G.L. c. 30A, sec. 21(a)(2) to conduct strategy sessions in preparation for negotiations with non-union personnel or union personnel and to conduct contract negotiations with non-union personnel or union personnel – Coalition Bargaining Group Discussion

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

Competitive Advantage

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

Motion by Commissioner Corr, seconded by Commissioner Hebert to adjourn. Unanimous. (5:13 PM)