



Peabody Municipal Light Plant

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PEABODY MUNICIPAL LIGHTING COMMISSION MINUTES OF REGULAR MEETING FEBRUARY 27, 2020

A regular meeting of the Peabody Municipal Lighting Commission was called to order on Thursday, February 27, 2020 at the Peabody Municipal Light Plant, 201 Warren Street Ext., Peabody, Massachusetts at 6:30 p.m.

Present for the meeting were Commissioners William Aylward, Charles Bonfanti, Thomas D'Amato, Thomas Paras and Robert Wheatley; Manager Charles Orphanos, Assistant Manager Bryan Howcroft, Attorney Philip Durkin and Recording Secretary, Barbara Previte.

Chairman Wheatley suggested that we add the email from Peter Gravallese regarding 5 Nottingham Road, Lynnfield and Billy Reaume.

- Agenda Item A: Approval of Agenda:

MOTION BY COMMISSIONER D'AMATO, SECONDED BY COMMISSIONER AYLWARD AND UNANIMOUSLY VOTED (5-0):

MOVE TO APPROVE THE AGENDA, AS AMENDED.

- Agenda Item B: Announcement:

Chairman Wheatley acknowledged that this is an open meeting and informed the public that the meeting is being recorded by hand and voice recorder.

- Agenda Item C: Approval of Minutes:

MOTION BY COMMISSIONER D'AMATO, SECONDED BY COMMISSIONER AYLWARD AND UNANIMOUSLY VOTED (5-0):

20-10 MOVE TO APPROVE THE REGULAR MEETING MINUTES OF JANUARY 23, 2020, as amended.

MOTION BY COMMISSIONER AYLWARD, SECONDED BY D'AMATO AND UNANIMOUSLY VOTED (5-0):

20-11 MOVE TO APPROVE AND NOT RELEASE THE EXECUTIVE SESSION MINUTES OF JANUARY 23, 2020.



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- Agenda Item D: Appointments:

There being none, the meeting continued.

- **REMARKS OF THE GENERAL PUBLIC:**

There being none, the meeting continued.

- Agenda Item E: Correspondence

- **PEABODY PUBLIC SCHOOLS – SPECIAL EDUCATION DEPARTMENT** -- The Commission received correspondence from Sharon McGrath of the Peabody Public Schools – Special Education Department regarding the ACCESS Post High School Special Education Program. Chairman Wheatley asked Barbara Previte to invite Sharon McGrath to a future Commission meeting to explain the program. Barbara Previte spoke with her and Sharon stated she has a conference in March, school vacation in April and suggested she attend the May 28, 2020 PMLC meeting.

MOTION BY COMMISSIONER D'AMATO, SECONDED BY COMMISSIONER AYLWARD AND UNANIMOUSLY VOTED (5-0):

20-12 MOVE TO ACCEPT THE CORRESPONDENCE FROM THE PEABODY PUBLIC SCHOOLS - SPECIAL EDUCATION PROGRAM AND INVITE SHARON MCGRATH TO THE PMLC MEETING ON MAY 28, 2020 TO EXPLAIN THE PROGRAM TO THE COMMISSION.

- **PEABODY INSTITUTE LIBRARY FOUNDATION** – Chairman Wheatley stated that he was not aware of this \$500 donation. Manager Orphanos stated that this is the second year that PMLP donated to have a sign with our name under the window. Manager Orphanos said he went to the Library to investigate and took a photo of the sign.

MOTION BY COMMISSIONER D'AMATO, SECONDED BY COMMISSIONER AYLWARD AND UNANIMOUSLY VOTED (5-0):

20-13 MOVE TO ACCEPT THE CORRESPONDENCE FROM THE PEABODY INSTITUTE LIBRARY FOUNDATION DATED JANUARY 30, 2020 FOR THE 2020 WINDOW SPONSORSHIP PROGRAM.

Chairman Wheatley suggested that the attorney investigate the legalities of donations.



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MOTION BY COMMISSIONER D'AMATO, SECONDED BY COMMISSIONER AYLWARD AND UNANIMOUSLY VOTED (5-0):

20-14 MOVE TO REQUEST TO INSTRUCT THE ATTORNEY TO INVESTIGATE THE LEGALITIES OF DONATIONS AND REPORT BACK TO THE MANAGER AND COMMISSION.

- **EMAIL / CORRESPONDENCE FROM CUSTOMER RE BILLY REAUME (WORKING FOREMAN) DATED FEBRUARY 12, 2020** – Chairman Wheatley stated that an email was sent to the Manager regarding an incident at 5 Nottingham Road, Lynnfield where Billy Reaume went above and beyond to help the customer.

MOTION BY COMMISSIONER D'AMATO, SECONDED BY COMMISSIONER AYLWARD AND UNANIMOUSLY VOTED (5-0):

20-15 MOVE TO INSTRUCT THE MANAGER TO PLACE THE EMAIL / CORRESPONDENCE IN BILLY REAUME'S PERSONNEL FILE AND ANNOUNCE THAT IT WAS READ AT THE PEABODY MUNICIPAL LIGHTING COMMISSION AND THANK HIM FOR A JOB WELL DONE.

- Agenda Item F: Manager's Reports:

STATUS REPORTS:

There being none the meeting continued.

- Agenda Item G: Committee Reports:
- **RULES AND REGULATIONS COMMITTEE (COMMISSIONERS AYLWARD AND PARAS AS WELL AS ATTORNEY DURKIN)** – The Committee was asked to investigate the legalities of the Open Meeting Law as it pertains to the "Remarks of the Commission". Commissioner Paras stated that the Commission cannot mention or bring forward any item that will initiate or require a discussion, deliberation or a vote at this meeting. The correct way to bring this forward will be to inform the Chairman prior to the posting of the Meeting Notice and ask that it be included in the Agenda.
- **CLERK OF THE WORKS / BUILDING PROJECT (COMMISSIONER PARAS)** – Manager Orphanos as well as Commissioner Paras stated that three clerks from the Credit Department have been moved to the Business Division downstairs on the first floor. The next step is to move the IT Division to those cubicles that were occupied by the Credit Department which is anticipated to happen in the next week or so.



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- Agenda Item H: Award of Bids:
- **FORD F350XL 4 X 4 EXTENDED CHASSIS CAB WITH UTILITY BODY AND PLOW** – Manager Orphanos deferred to Phil Rohn, Superintendent of Electric Distribution to discuss the information brief regarding the purchase of the Ford F350XL on behalf of Mike Pazzanese, Assistant Superintendent of Electric Distribution / Safety, who was not able to attend due to a death in his family. Phil stated this was an Action Plan for 2019 to replace vehicle #46 (2004 Chevrolet Astro). This vehicle was taken out of service, declared surplus and sold in 2019. Distribution completed the specifications and received a quote from the State Contract in 2019 but after analyzing the quote, it was believed that PMLP would be able to get a less expensive price by going out for competitive bids directly to Ford dealers. As a result, the purchase was not completed in 2019; however, the Action Plan and money was carried forward to the 2020 budget. The specifications were sent out for competitive bid in January to twelve vendors, published in the Salem News and the Dodge Reports. PMLP received two bids as well as a quote from the State Contract and two no quotes. It is the recommendation of staff to purchase through Stoneham Ford.

MOTION BY COMMISSIONER D'AMATO, SECONDED BY COMMISSIONER AYLWARD AND UNANIMOUSLY VOTED (5-0):

20-16 MOVE TO AUTHORIZE THE MANAGER TO ENTER INTO A CONTRACT WITH STONEHAM FORD OF STONEHAM, MASSACHUSETTS FOR THE PURCHASE OF A NEW 2020 FORD F350XL 4X4 EXTENDED CHASSIS CAB WITH UTILITY BODY AND PLOW FOR A PRICE OF \$55,923 PLUS A 5% CONTINGENCY OF \$2,796 FOR A TOTAL OF \$58,719.

- Agenda Item I: General Business:
 - **CHARGE OFF LIST 2019** -- Manager Orphanos stated that this come before the Commission on annual basis to discuss the 2019 charge-offs. Manager Orphanos deferred to Karen Repucci, Business Manager, to discuss the transfer of accounts from deferred accounts receivable status to charge-off status. The charge-off list is compiled of three types of accounts: bankruptcies which is pursued through bankruptcy court with a lien process; the second is non-residential accounts which are terminated for credit delinquency for balances over 30 days in arrears; and residential accounts which are terminated for credit delinquency from April 15 through November 14 for balances over 60 days in arrears, unless designated as "protected". Karen stated that our Credit Department personnel does a good job along with the third-party collection vendor that PMLP uses.



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MOTION BY COMMISSIONER AYLWARD, SECONDED BY COMMISSIONER D'AMATO AND UNANIMOUSLY VOTED (5-0):

20-17 MOVE TO AUTHORIZE THE MANAGER TO CHARGE OFF THE RESIDENTIAL CUSTOMERS OF \$137,910.19; NON-RESIDENTIAL OF \$4,021.71; BANKRUPTCIES OF \$16,196.83 AND UNDER \$10 ACCOUNTS OF \$39.18 FOR A 2019 TOTAL CHARGE OFF OF \$158,167.91.

- **POWER SUPPLY TRUST FUND** – Manager Orphanos deferred to Commissioner Paras. Commissioner Paras worked with Attorney Durkin to review and amend the Power Supply Trust Fund. The amendment is a result of the discussion that occurred with the Commission at the August 8, 2019 PMLC meeting specific to the 2015A project. The amended and revised draft of the Power Supply Trust Fund has been included in your package for review. Going forward, once the Power Supply Trust Fund revisions have been executed, the expenditures or transfer of trust funds will be made upon a motion presented and seconded before the Commission. The Chairman and Manager will sign off on the transfer of funds. Manager Orphanos stated that MMWEC has collected enough pre-financing money and the pre-financing payments will end until the bonding is needed later this year. The last pre-financing payment is \$43,278 is due for January of 2020 which was agreed to pay for from the Power Supply Trust and signed off by Chairman Wheatley. A further discussion will occur on how much money if any should be used from the Power Supply Trust in order to reduce our debt burden.
- **NATIONAL GRID CHECK (\$21,275.51)** – Manager Orphanos stated that this check is for network transmission service for November 2019 Refund.
- **MMWEC (\$41,433.07)** – Manager Orphanos stated that this check is for Hydro Quebec which will be deposited in the rate stabilization fund. A discussion occurred about depositing money in the rate stabilization fund and understanding how the rate stabilization fund works. Assistant Manager Howcroft explained the process of paying our power supply bills from this fund and its importance.
- **REMARKS OF COMMISSION** – The Commission collectively congratulated Phil Rohn on his retirement. The Commission appreciates his hard work and dedication to PMLP.

MOTION BY COMMISSIONER D'AMATO, SECONDED BY COMMISSIONER AWYLARD AND UNANIMOUSLY VOTED (5-0):



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MOVE TO ENTER INTO EXECUTIVE SESSION IN ACCORDANCE WITH CHAPTER 30A, SECTION 21(a) FOR THE PURPOSE OF CONDUCTING STRATEGY SESSIONS IN PREPARATION FOR COLLECTIVE BARGAINING AND TO DISCUSS TRADE SECRETS OR COMPETITIVELY SENSITIVE INFORMATION AND NOT TO RETURN.

Chairman Wheatley declared the Regular portion of the Meeting of February 27, 2020 adjourned at 7:40 p.m.

A TRUE RECORD

Attest:

A handwritten signature in black ink, appearing to read "William C. Aylward", written over a horizontal line.

William C. Aylward, Secretary
Peabody Municipal Lighting Commission