

Chicopee Municipal Lighting Board
Minutes of Meeting
Monday, March 25, 2024

Chairman Mashia called a regular meeting of the Chicopee Municipal Lighting Board to order at 4:02 PM on Monday, March 25, 2024.

Present for this meeting were Chairman Daniel J. Mashia, Commissioner Daniel T. Maciolek, Commissioner Joseph F. Pasternak, III, and General Manager and Clerk of the Board Daniel R. Faille. Additionally, Mr. Evan Wytas was present representing the millwrights with local 1121 of New England. Mr. Wytas informed the board that they have large group of millwrights and contractors available that specialize in all types of industrial maintenance, hydroelectric, power generation, rigging and precision work.

Commissioner Pasternak asked Commissioner Maciolek to provide a brief introduction of himself, as this is his first Municipal Light Board meeting since he had been appointed to the position. Commissioner Maciolek provided a brief history of his past employment with CEL, and how he had worked several different positions up until his recent retirement. He was welcomed to the board by the other commissioners.

Commissioner Pasternak made a motion to accept the minutes of the February 27, 2024 Municipal Light Board Meeting, as presented. Commissioner Maciolek seconded the motion. Discussion: None; Motion was passed 3 to 0.

Commissioner Sittard made a motion to pay *Bills and Customer Refunds* in the amount of \$538,741.87. Commissioner Maciolek seconded the motion. Discussion: None; Motion was passed 3 to 0.

Commissioner Pasternak made a motion to concur with the payment of *Warrant #E030124 dated 2/26/2024 in the amount of \$58,346.98; Warrant #E030824 dated 2/29/2024 in the amount of \$124,780.48; Warrant #E030824 dated 3/4/2024 in the amount of \$1,992,963.56; Warrant #E031524 dated 3/11/2024 in the amount of \$925,604.22; Warrant #E032224 dated 3/14/2024 in the amount of \$680,048.67 and Warrant #E032224 dated 3/18/2024 in the amount of \$5,470,409.20.* Commissioner Maciolek seconded the motion. Discussion: None; Motion was passed 3 to 0.

Certificate Vote 47D on Competitively Sensitive Information

The General Manager presented the Commissioners with the following text, prepared by CEL's legal counsel, which outlines the following:

(1) *Pursuant to Massachusetts General Laws, Chapter 164 section 47D and other laws, the Board hereby approves the Department treating all electric, telecommunication and other pricing, contracting and strategic information as confidential, trade secrets, competitively sensitive or other proprietary information, and the Board hereby determines that disclosure of such information will adversely affect the Department's ability to conduct business in relation to other entities, all as allowed by law; and*

(2) *The Board authorizes this vote to apply to all such information acquired prior and subsequent to this vote; and*

(3) *The Manager and the Department are hereby authorized and directed to take any action and sign all documents deemed necessary or advisable to carry out the purposes of this vote; and*

(4) *Any actions previously taken by the Manager or the Department consistent with the purposes of this vote are hereby ratified and confirmed.*

Commissioner Pasternak made a motion for CEL to adopt the text, as presented, and have the clerk of the board prepare a certificate for said vote. Commissioner Maciolek seconded the motion. Discussion: None; Motion was passed 3 to 0.

DISCUSSION ITEMS:

Chicopee Hydro Update

The General Manager informed the Board of several developments following the last meeting of the municipal light board. First, the engineering company that's working on the project, DuBois & King (D&K), completed the next step of updating the design drawing/specifications for a carbon fiber reinforcement option. CEL was presented with construction drawings which define the design parameters the carbon fiber design-build contractor would need to meet, including the concerns addressed above. A meeting with D&K is set for April 3rd.

Chicopee Planning Department has completed their research into multiple hydropower grant funding programs. We have a meeting scheduled for 3/26/2024 to discuss applicability to CEL's needs.

The idea of offering up a long-term lease with options for a purchase power agreement with/without attributes is still an option. The General Manager is looking into a possible lessee.

The General Manager provided an update on leveraging a dive team to evaluate and repair (if necessary) portions of the plant below the waterline. He indicated that we're still waiting for the water level to subside before proceeding.

The General Manger also indicated that a recent Dam Safety and Surveillance Inspection Report was prepared by Ware River Power (WRP) and submitted to FERC which indicated several minor, correctable deficiencies. A meeting is being set with WRP to develop a plan to address these deficiencies as well as to discuss all of the above items.

Front Street Generator Noise Testing Update

The General Manager indicated that CEL has re-engaged Acentech to develop a testing strategy that will involve the mounting of a remote monitoring system (RMS) on a CEL-owned utility pole near the area of concern. This RMS would allow for real-time

monitoring of sound levels, event logging of potential and problematic events, alarm triggers, and downloading of data for further analysis offline. This approach has multiple advantages, including establishing a larger data set of both ambient and runtime noise levels, not requiring CEL to conduct costly, out-of-band runs on the generators (creating noise solely for the sake of testing), and providing an effective, semi-permanent yet unobstructive monitoring solution. A formal scope of work is being developed and will be presented to MassDEP for methodology approval before any commitment is made.

Temporary Repair Service Fees

The General Manager brought to the board's attention a situation that arises occasionally whereby an electric customer experiences a service disrupting fault in their customer-owner, direct buried, underground electric service cable(s). In order to best serve the customer, and where available, CEL will establish temporary overhead electrical service and install a temporary service panel next to their existing meter. The expectation is that the customer will utilize a licensed electrician to either repair the direct-buried cables, or modify the service entry to permanently accept overhead conductors. Sometimes, no action is taken on behalf of the customer, and the connection is left in a temporary state utilizing CEL equipment. Unfortunately, this leaves CEL without the ability to assist other customers who may fall into the same situation. In an effort to resolve this issue, the General Manager requested that CEL modify their Temporary Service Repair Waiver to include a \$150/month rental fee – beginning after 60 days, or if no repair progress has been made by a licensed electrician – for the equipment that CEL provides during the establishment of the temporary service. This fee will be placed on the Customer's electric account each billing period until the permanent repairs are made and CEL's equipment is returned. CEL Engineering and Customer Service support this effort.

Commissioner Pasternak made a motion for CEL to accept the recommendation of Engineering and Customer Service staff, and amend the agreement as presented. Commissioner Maciolek seconded the motion. Discussion: Commissioner Maciolek expressed concerns over charging customers in situations where they desire to repair the underground service, but either a moratorium was placed on digging in the area, or if weather was unfavorable to making repairs. The General Manager indicated that would be addressed on a case-by-case basis, and that a precedent had yet to be set. He acknowledged that the moratorium on digging represents a challenge, but that communication with the customer in question about this would indicate repair progress and therefore would exempt them from the fee; Motion was passed 3 to 0.

Crossroads Fiber Update

The General Manager informed the Board that we are nearing 4,450 active customers and approximately 110 additional in the survey/install queue. There are currently 3 FSA's in various construction stages with one pending opening this weekend.

Bridle Path underground construction will be starting Monday April 1st. Badger will be onsite Monday to begin the hydro excavation.

The General Manager informed the Board that we are in the process of completing Calix firmware updates this week. After the upgrades have been completed, we will begin testing and roll out of our 350 Mbps speed upgrade for our residential customers. The testing and upgrade will be a “soft upgrade” starting Thursday March 28th with official announcement on or about Monday April 1st with a social media “no joke” posting.

Our marketing associate and telecom engineer are continuing plans and presenting them to MDU’s. Marketing is working on a 5000th customer install campaign which we anticipate to hit this milestone in June this year. The telecom installer bucket truck has been delivered from Cues Inc., and is pending insurance and registration. We will be utilizing space on the vehicle to display our quarterly marketing campaign, which will be changed out with each campaign refresh.

Following public comments made at a recent City Council meeting, the General Manager indicated that CEL is reconsidering their approach to building private MDU complexes. Initially, CEL had requested that all construction work performed on private property would be the financial responsibility of the private property owner. Recently, this policy was revised such that actual costs would be shared by CEL at a rate of 50%. In listening to public comments, and in consideration of the investment CEL would be willing to make if the installation location were not private property, a new policy is being considered whereby an average cost to install the equivalent service in a public way (per home passed) would be assessed alongside a cost estimate to install service in the private way in question. CEL would request that any shortfall between the two estimates would need to be covered by the private property owner. Any installation from the fiber plant to the individual units would still be at no charge to the subscriber. In this manner, CEL is committing to make an equitable investment in the fiber plant across all areas of the City in order to serve Chicopee ratepayers. Commissioner Pasternak requested that during this reconsideration approach, the General Manager also evaluate the breakeven point of the construction investment in the private property, as it compares to the breakeven point when building typical areas. As Crossroads Fiber does not require customers to sign long term contracts, this approach represents a risk of building a private area with the assumption of a particular take rate (and therefore, return), but potentially not achieving that take rate and needing to supplement the build of a private area from revenues from other areas. The General Manager was asked if the process to build a private area could be modified such that applications for service could be received before committing to construction, representing a financial commitment from potential customers. The General Manager will incorporate these requests in the upcoming reevaluation process.

New Business/Updates

Reminder coverage of Crossroads Fiber: The General Manager informed the board that a recent article was published in the Reminder that was complementary to the continuing rollout of Crossroads Fiber.

Commissioner Pasternak made a motion to adjourn at 5:22 PM. Commissioner Mashia seconded the motion. Discussion: None; Motion was passed 3 to 0.



Daniel R. Faille, Clerk of the Board

Approved: April 29, 2024