



*Established*

*1996*

## SPRINGFIELD WATER AND SEWER COMMISSION

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### Minutes of Meeting

October 26, 2023

The Springfield Water and Sewer Commission held a public meeting on October 26, 2023, in accordance with Chapter 2 of the Acts of 2023.

Chairwoman Otero called the meeting to order at 9:36 a.m. and announced the Commissioners that are participating. Secretary for the Commission Jaimye Bartak called the attendance roll:

Daniel Rodriguez, Present  
Vanessa Otero, Present  
Matthew Donnellan, Present

Also Present

Joshua Schimmel, Executive Director  
Norm Guz, Commission Counsel  
Anthony Basile, Comptroller  
Domenic Pellegrino, Director of Finance  
Theo Theocles, Director of Legal Services  
Steven Frederick, Director of Wastewater Operations  
Jaimye Bartak, Communications Manager/Secretary to the Commission  
Atty. James Chadwell  
Atty. John Liebel

Also Participating Remotely

Katie Shea, Educational Outreach Manager  
Darleen Buttrick, Director of Engineering  
Jim Laurila, Director of Water Operations  
Christina Jones, Deputy Director of Water Operations  
Jennifer Boulais, Director of Human Resources  
Rick Gomez, Director of Engineering  
Kristin Monfette, Safety Manager  
Raemarie Walker, Deputy Director of Finance

### **Business Matters**

1. Approve the minutes of the meeting held on September 14, 2023, without reading, because copies were furnished to each member of the Commission for their review.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to approve minutes of the meeting held on  
September 14, 2023.

**New Business**

2. Financial Update: Report by Comptroller.

Comptroller Anthony Basile reported ending cash of \$115,770,842, a decrease of \$2.4 million from reserves, which is typical in the first quarter.

Mr. Basile reported a projected revenue budget of \$104 million. There is a negative variance of approximately \$1.7 million due to reduced water and sewer usage during the summer, and decreased revenue from Solutia. This has rebounded from other revenue projections.

The operating budget is expected to be expended at 98%, or just under \$92 million. This is a positive variance of \$1.6 million due to funded vacancies. This variance will be offset by the revenue variance.

Approximately \$17 million was expended in the capital budget at the end of September 2023, with \$84.5 projected to be spent in the fiscal year. This is similar to last year.

There was a \$115.7 million cash balance, with \$23 million in unrestricted working capital, which represents 20% of overall cash. This is typical for this time of year. The balance of cash is restricted under the bond resolution, stabilization fund or specific capital projects.

There was \$8.5 million in receivables, of which \$2.3 million was over 60 days old.

There was \$972.5 million in assets, and \$730.4 million in liabilities.

3. Consideration of FY24 O&M Budget Amendment #1: Report by Comptroller.

Mr. Basile reported requesting a O&M transfer of \$182,000 from Personal Services to various accounts, including security, postage, and travel/training.

Commissioner Otero asked about the vacancies in the Personal Services budget. Executive Director Josh Schimmel noted that Personal Services is budgeted at 50% as all positions are not anticipated being filled on July 1.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY  
COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to approve FY24 O&M Budget Amendment #1.

4. Consideration of Utility Billing Credit Summary and Summary of Accounts Receivable September 2023: Report by Director of Finance.

Director of Finance Domenic Pellegrino reported net billings of \$9.4 million and payments of \$6.1 million, leaving an accounts receivable balance of \$7.3 million.

There were 5,755 accounts with receivables over 60 days, totaling \$1.6 million.

There were 67 credits in the amount of \$486,462.03, regional contract true-ups are included in the \$486,462.03, however, overall, regional contract true-ups netted an additional billing of \$195,893 in FY 2024.

There were 15 CAP credits totaling \$2,519.70 in September, and 64 for the fiscal year to date.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to approve credits in the amount of \$486,462.03 as presented.

5. Consideration of CIP Amendment 2024-05: Report by Director of Finance.

Mr. Pellegrino reported on a requested transfer of \$1.2 million from the CIP reserve account to the transmission system rehabilitation account for the 36" water main behind St. James Ave. This will be part of the reimbursement request to MEMA.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to approve CIP Amendment 2024-05.

6. Consideration of CIP Amendment 2024-06: Report by Director of Finance.

Mr. Pellegrino reported on transfer from the CIP reserve account to the Building and Structure Improvement account for repairs to the fleet management garage structure.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to approve CIP Amendment 2024-06.

7. Consideration of CIP Amendment 2024-07: Report by Director of Finance.

Mr. Pellegrino reported on a request to transfer funding from three project accounts to the CIP Reserve account. Two of three projects are complete, and the third project will be absorbed into the Cobble Mountain Hydrostation project.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY  
COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to approve CIP Amendment 2024-07.

8. Consideration of CIP Amendment 2024-08: Report by Director of Finance.

[TAKEN OUT OF ORDER, following item 11]

Mr. Pellegrino reported on an amendment to accept grant funding from the Pioneer Valley Planning Commission (FY24 DEP CSO Grant) in the amount of \$301,000. These funds will be used to augment the Connecticut River York St Pump Station costs.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY  
COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to approve CIP Amendment 2024-08.

9. Consideration of 50<sup>th</sup> Supplemental Resolution for the Issuance of Bonds to the MA Clean Water Trust for the Financing of the York Street and Connecticut River Crossing, the Nutrient Removal Upgrade and Related Facility Improvements, and the Clearwell and Backwash Pump Station Replacement: Report by Commission Counsel.

Commission Counsel Norm Guz reported on the issuance of 3 bonds in this supplemental resolution. The first is a Series D bond for \$1,649,713 for the York Street Pump Station project. The second is a Series E bond for the nutrient removal upgrade project in the amount of \$27,829,703, and the third is a Series F bond for \$8,567,159 for the Clearwell and Backwash Pump Station for the Clearwell Backwash project.

The loans from the Clean Water Trust are 2% interest with a closing around mid-November. There is debt forgiveness of \$8.8 million associated with the Series E and F bonds.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to authorize the issuance of bonds as set forth in the 50<sup>th</sup> Supplemental Resolution.

10. Consideration of Change Order No. 4 for National Water Main Cleaning Company Contract No. 20230024 FY23 Sewer Infrastructure Improvements: Report by Director of Engineering.

Director of Engineering Darleen Buttrick reported on a change order needed to address a failed sewer section and add a new manhole repair. The contract is being extended by 41 calendar days.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to approve Change Order No. 4 for National Water Main Cleaning Company Contract No. 20230024.

11. Consideration of Authorization for Executive Director to Receive PVPC/MassDEP CT River CSO Cleanup Program Grant Pursuant to DEP Grant Agreement ISO the York Street Pump Station and CT River Crossing Project: Report by Director of Wastewater Operations.

[Taken out of order after item 7.]

Director of Wastewater Operations Steve Frederick reported on the authorization for the executive director to receive a \$300,000 DEP grant through the Pioneer Valley Planning Commission. Total grants so far have amounted to \$2.7 million.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO  
COMMISSIONER DONNELLAN:**

to authorize the Executive Director to accept the FY24 CSO grant from PVPC.

12. Consideration of Contract for Kleinfelder ISO the 2024 Collection System Cleaning and Assessment Program: Report by Director of Wastewater Operations.

Mr. Frederick reported that this contract continues the Asset Management and Assessment Program.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ**

**COMMISSIONER OTERO**

**COMMISSIONER DONNELLAN:**

to approve Contract for Kleinfelder ISO for the 2024 Collection System Cleaning and Assessment Program.

13. Discussion of City of Springfield Parks Department Billing: Report by Executive Director.

Mr. Schimmel reported that an audit of Parks Department accounts was undertaken as part of ongoing unaccounted-for water investigations and the cross-connection program. Meters will be installed on some Parks Department properties and billing will begin in the cycle starting January 2024.

Atty. Guz reported that he has met with the City Solicitor. Most of the unbilled accounts are sewer connections or related to fountains and splash pads. Atty. Guz reported it would be advisable to meet with the City Solicitor before initiating billing.

Commissioner Otero asked about auditing other account sectors for billing. Mr. Schimmel responded that the main focus for this effort was the Parks Department, but that business intelligence audits are also picking up anomalies across a variety of customer classes.

**UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER RODRIGUEZ**

**COMMISSIONER OTERO**

**COMMISSIONER DONNELLAN:**

to authorize the proposal in regards to unbilled usage and that those accounts would be billed starting in February 2024 for usage in January 2024.

14. Consideration of Legislative and Regulatory Consultant: Report by Executive Director.

Tabled until next month.

15. Water and Sewer Updates: Report by the Executive Director.

Mr. Pellegrino reported on loan forgiveness from the Clean Water Trust for the Grit Removal Project. This particular loan forgiveness represents 30%, when usually it is 5-7%. The loan is for \$21 million. Mr. Schimmel noted that by financing this project under the SRF and receiving loan forgiveness frees up more WIFIA funding for the new water treatment plant.

Mr. Schimmel reported that the appeal of 310 CMR.36 continues, and there will be a hearing for a summary judgment in two weeks. DEP also granted an exemption from the new WMA regulations yesterday. Inaccurate DEP records on the Commission's registration were also corrected.

Mr. Schimmel reported that he met with DEP Commissioner Heiple as an introduction.

Mr. Schimmel reported that staff met with the City Council's HHS subcommittee last month. They have requested another meeting on November 16.

Mr. Schimmel reported that staff met with VOC last week to discuss final stages of the LIHWAP program. Additional small payments will be made to accounts due to leftover funding. The shutoff season ends next week.

Mr. Schimmel reported on an upcoming discussion on a Project Labor Agreement with the Pioneer Valley Trades Council.

Director of Wastewater Operations Steve Frederick reported that paving at the York Street Pump Station is finished. Punch-list items continue. There is an upcoming Open House on November 17. The ICIs are 60% complete. The fourth aeration basin will be cleaned soon. Upgrades to the ventilation system in the screening room is next and completion is expected in August. The Grit Removal Project is starting with submittals for equipment and components.

Mr. Schimmel reported on the West Parish Filters Open House on October 19. There were 101 visitors, including City Councilors and Sen. Oliveira.

Director of Legal Affairs Theo Theocles reported that the 42" transmission main project is soon to be back out to bid, and that statement of qualifications for general trades and contractors are coming in.

Mr. Pellegrino reported that LIHWAP was extended to expend the remaining funds. Customers that receive LIHEAP will receive a CAP flyer and application with their acceptance letter. Customers will never have credit larger than what their usage is.

Mr. Schimmel congratulated Raemarie Walker on her promotion to Deputy Finance Director.

Mr. Basile reported that the audit is winding down, and that the auditors will report to the Board in November.

Deputy Director of Water Operations Christina Jones reported that a wet summer led to lower demand from customers. The Backwash Facility has been online for about two weeks while final issues are worked out.

Director of Engineering Darleen Buttrick reported that the water plant was at 90% design. Staff have reviewed the designs and provided comments, and the majority of the permit approvals have been received. The 42" raw water transmission main is at 100% design, with the final approval by the WIFIA program outstanding. The Locust Street project is connecting to the piping at the old York Street jail site. Baltazar also is doing work along Locust Street as part of the FY23 sewer improvements project. The

Birnie Avenue transmission main repair project is now a WIFIA project. Bids for the Provin rehabilitation project exceeded estimates, so the scope is being adjusted. The conceptual design for Cobble Mountain Hydrostation is under review.

Director of Human Resources Jen Boulais reported that her team is focused on the experience of applicants and new hires, and on working with Safety and IT to develop a one-day onboarding event.

Safety Manager Kristin Monfette reported that she is working closely with Engineering on projects, and also working with stakeholders on reviewing the main break response. Dam EAP exercises are also upcoming with stakeholders.

Communications Manager Jaimye Bartak reported on the West Parish Filters Open House on October 19, and the upcoming York Street Pump Station ribbon cutting event on November 17.

Educational Outreach Manager Katie Shea reported that preparations for the 2024 Pipeline Program are underway, and that she recently attended a college/career fair at Springfield College. A Pipeline Program alum is now working as a Putnam co-op student in IT. Fifth grade students will visit watershed areas in the spring as part of a partnership with MassAudubon's Rivers to Sea program.

Director of IT Rick Gomez reported on the new business intelligence unit, which will make Commission data more digestible and easier to disseminate. IT has been working with Engineering on preparing for the new treatment plant. Cybersecurity efforts are ongoing.

Atty. Guz reported on looking into goals for hiring local residents in the construction of the West Parish Filters Water Treatment Plant project beyond the WBE/MBE requirements from WIFIA and the Clean Water Trust.

Commissioners voted unanimously for a break at 10:46 AM, and to resume open session at 10:52 AM.

The next meeting will be held on November 16, 2023, at 10 AM.

16. Consideration and/or action on any other matters that may come before the Commission at this meeting.

None considered.

**AT 10:53 AM UPON MOTION DULY MADE BY COMMISSIONER OTERO AND SECONDED BY COMMISSIONER DONNELLAN**

**VOTED YES –  
COMMISSIONER DONNELLAN  
COMMISSIONER OTERO  
COMMISSIONER RODRIGUEZ:**

to enter into executive session to discuss strategy related to pending litigation matters of the Commission and a pending workman's compensation claim. It was determined that holding the discussion in public session could be detrimental to the Commission's position in the negotiation of the litigation and claim. It was announced that public session will not resume at the end of executive session.



**Old Business – Executive Session**

17. Status Review of Litigation Matters of the Commission: Report by Atty. Liebel.

Discussed in Executive Session.

18. Status Review of Litigation Matters of the Commission: Report by Atty. Chadwell.

Discussed in Executive Session.

Submitted By:



Jaimye Bartak, Secretary

Exhibits Considered:

September 14, 2023 Meeting Minutes  
Monthly Financial Report  
FY24 O&M Budget Amendment #1  
2023 September Finance Director Rpt  
Amendment 2024-05 (Incr 06A-0014)  
Amendment 2024-06 (Incr 090-0010)  
Amendment 2024-07 (Tnfr 12A-2021, 12B-2020, 004-0045 to 090-1000)  
Amendment 2024-08 (Incr 003-0027)  
NWM Contract No. 20230024 CO No. 4  
50<sup>th</sup> Supplemental Resolution  
Contracts Signed by Josh Schimmel  
SWSC Contract No. 20240035  
Cobble Reservoir Capacity Levels  
PVPC Agreement for FY24 CSO Grant  
Kleinfelder Task Order 40