



Established

1996

SPRINGFIELD WATER AND SEWER COMMISSION

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Minutes of Meeting

July 17, 2024

The Springfield Water and Sewer Commission held a public meeting on July 17, 2024, in accordance with Chapter 2 of the Acts of 2023.

Chairwoman Otero called the meeting to order at 9:07 AM 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 and Procurement
Jennifer Boulais, Director of Human Resources
Jaimye Bartak, Communications Manager/Secretary to the Commission
Atty. Russell Dupere
Atty. Bruce Leiter

Participating Remotely
Darleen Buttrick, Director of Engineering
Jim Laurila, Director of Water Operations
Christina Jones, Deputy Director of Water Operations
Steve Frederick, Director of Wastewater Operations
Ashley Demarey, Deputy Director of Field Services
Rick Gomez, Director of IT
Raemarie Walker, Deputy Director of Finance
Frank Zabaneh, Engineering Manager
Kristin Monfette, Safety Manager
Ryan Wingerter, Director of Field Services
Nicole Sanford, Water Resources Manager
Nicole Boland, Collections Manager
Sara Tetrault, Procurement/Payroll Manager
Katie Shea, Educational Outreach Manager

Business Matters

1. Consideration of Appointment of Chair and Vice-Chair for FY25: Report by Commission Counsel.

Commissioner Donnellan recommended Commissioner Rodriguez as Chair for FY25.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN: to appoint Commissioner Rodriguez as Chair for FY25.

Commissioner Rodriguez nominated Commissioner Otero as Vice-Chair for FY25.

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

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN: to appoint Commissioner Otero as Vice-Chair for FY25.

2. Approve the minutes of the meeting held on June 13, 2024, 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 June 13, 2024.

3. Approve the minutes of the executive session on June 13, 2024, 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 executive session held on June 13, 2024.

Executive Session

**AT 9:12 AM UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND
SECONDED BY COMMISSIONER DONNELLAN**

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

to enter into executive session to discuss pending litigation strategy related to the bid protest of Universal Electrical Company. It was determined that public session would have a detrimental effect on the Commission's position in the litigation. It was announced that public session would resume in approximately 30 minutes.

4. Consideration of Bid Protest of Universal Electrical Company: Report by Commission Counsel.

Discussed in Executive Session.

**AT 9:40 AM UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND
SECONDED BY COMMISSIONER OTERO**

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

to return to public session.

New Business

5. Financial Update: Report by Comptroller.

Comptroller Anthony Basile reported an ending cash balance of \$136 million, which represents an additional \$18.2 million in cash as a result of the timing of reimbursements from SRF and WIFIA. This includes a \$10 million WIFIA drawdown in June, which had been anticipated for July.

There was a shortfall in total actual revenue compared to the original estimated revenue, this was the result of a 2-3% decrease in both water and sewer usage throughout the year. This gap has been recovered through additional revenues from interest earnings, which increased by \$3 million, leaving a variance of \$330,000.

The operating budget and personal services budgets are both 97% expended. There is a total unexpended balance of \$3.3 million in the operating budget, mostly from unexpended purchased services accounts. The capital budget had close to \$70 million in total expenditures in FY24, with a total remaining appropriation balance of \$483 million. This total includes what was recently approved by the Board for the FY25 budget.

The Commission had \$136.4 million in total cash, of which 25% represents unrestricted cash used as working capital. Including in the restricted funds is the stabilization fund and bond covenant reserves and cash restricted for capital projects funded from revenues.

There was \$7.3 million in outstanding receivables, of which \$2.2 million was over 60 days old. There were total assets of \$992 million and \$713 million in total liabilities.

Commissioner Otero asked about the increase in outstanding receivables. Director of Finance Domenic Pellegrino reported that shutoffs do not take place when the temperature is over 90 degrees, and due to the heat, there have been fewer days of shutoffs.

6. Consideration of FY25 Stabilization Fund Transfer: Report by Comptroller.

Mr. Basile reported that based on FY24 results, the Commission will have the ability to meet all its financial obligations. Mr. Basile recommended transferring \$1.5 million into the stabilization fund, as it has been a few years since an installment was made, and an installment may also help the Commission's credit rating in anticipation of a revenue bond sale in the coming years.

Mr. Schimmel added that the financial team is looking into setting dates and targets for the fund. The current balance is \$18.6 million.

Atty. Guz noted that the stabilization fund is to minimize the rate impact if there was a significant decline in revenue, or to support the issuance of debt and reserve requirements. Water consumption is decreasing, and one vendor represents 11% of usage.

Commissioner Otero noted that the fund is not intended solely to reduce rates, and that other financial indicators would need to remain level if it were to be used. Commissioner Rodriguez added that it is responsible to have reserves.

Mr. Basile noted that the stabilization fund will be funded at approximately 65% of the cap as set forth by the Commission's financial policies if this transfer is approved. Mr. Schimmel commented that for the amount of work taking place, rate increases have remained relatively modest.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN:

to approve a stabilization fund transfer as proposed.

7. Comptroller's Report: Report by Comptroller.

Mr. Basile reported on the required internal audit report. The past year's testing of transactions were similar to the prior year's. There have been no issues with the testing in the areas of pay rates and benefits, bid tests in procurement, cycle counts conducted at the warehouse for inventory, or accounts payable disbursements. All transactions are being tested and there are minimal discrepancies, therefore no findings to report at this time.

8. Consideration of Utility Billing Credit Summary and Summary of Accounts Receivable June 2024: Report by Director of Finance.

Director of Finance Domenic Pellegrino reported net billings of \$8 million, collections of \$7 million, for an accounts receivable balance of \$6.4 million.

There were 5,525 account receivables over 60 days old, for a total of \$1.7 million.

There were 56 credits issued in the amount of \$11,890.91 in June.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN:

to approve credits in amount of \$11,890.91.

9. Consideration of CIP Amendment 2025-1: Report by Director of Finance.

Mr. Pellegrino reported on a request to transfer \$38,146 from the CIP reserve account to the West Parish Filters chlorine gas system in order to award bid number 24-70 opened on June 12, 2024.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN:

to approve CIP Amendment 2025-1.

10. Consideration of CIP Amendment 2025-2: Report by Director of Finance.

Mr. Pellegrino reported on a request to appropriate an additional \$38,470,170.36 to the new water treatment plant project based on bid openings. The total appropriation for the project is now \$363,731,170.36.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

**COMMISSIONER RODRIGUEZ
COMMISSIONER OTERO
COMMISSIONER DONNELLAN:**

to approve CIP Amendment 2025-2.

11. Consideration of Southwick Water Contract First Amendment: Report by Director of Finance.

Mr. Pellegrino reported on the first amendment to the 5-year wholesale water contract for Southwick. This amendment extends the contract for five years to June 30, 2029.

Atty. Guz reported that due to a change in the Agawam Solicitor's office, Agawam also requested the Commission approve its contract extension and sign first, so this item has been added to the agenda at the request of Agawam. The first amendment to the Town of Agawam's agreement is exactly the same as East Longmeadow and Southwick's. The amendment adds a new exhibit A due to the Water Management Act, and extends the date of the contract to June 30, 2029.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

**COMMISSIONER RODRIGUEZ
COMMISSIONER OTERO
COMMISSIONER DONNELLAN:**

to approve the first amendment to Southwick's Water contract.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

**COMMISSIONER RODRIGUEZ
COMMISSIONER OTERO
COMMISSIONER DONNELLAN:**

to approve the first amendment to Agawam's water contract.

12. Consideration of Award of SWSC Bid No. 24-51 West Parish Water Treatment Plant: Report by Director of Engineering.

Director of Engineering Darleen Buttrick reported that bids were received for construction of the new water treatment plant on June 25, 2024. The project includes the construction of a 65MGD water treatment plant, including demolition of existing slow sand filtration facilities, and construction of raw and treated water conveyance, chemical storage and feed equipment, dewatering facility, new electrical feed and emergency generator, workshop, laboratory, administrative spaces, and site improvements.

Three bids were received and ranged from a low bid of \$293,324,200 to a high bid of \$341,076,053. The engineer's estimate was \$286,307,000 not including contingency. Walsh Construction Company II, LLC, was the apparent low bidder.

Consulting engineer Hazen and Sawyer determined that Walsh is the lowest responsible and responsive bidder, and recommended award of the contract, pending authorization to award from the Mass DEP SRF program and receipt of acceptable bonds and insurance certificates. Construction is anticipated to begin in late summer, and completion of the project by September 2028.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN:

to authorize the Executive Director to execute Contract No. 20250008 with Walsh Construction Company II, LLC, pending receipt of authorization to award from Mass DEP, and receipt of acceptable bonds and insurance certificates.

13. Consideration of Hazen and Sawyer Task Order No. R-21-01_H&S_12 Engineering Services During Construction for the West Parish Water Treatment Plant: Report by Director of Engineering.

Ms. Buttrick reported on Task Order No. 12 with Hazen and Sawyer, DPC for construction phase engineering services and construction management services through September 2028 relative to the West Parish Water Treatment Plant project. The activities in this task order include construction administration, construction management and full-time construction observation, startup services and initial operations support, communications assistance, project closeout, digital services associated with the new WTP, and permitting assistance associated with requirements from MassDEP for the new WTP including a cybersecurity assessment, capital improvements plan, asset management plan, emergency response plan, and annual reporting and staffing plan. The task order value is \$26,943,300.00.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN:

to authorize the Executive Director to execute Task Order No. 12 with Hazen and Sawyer, DPC as presented.

14. Consideration of Tighe & Bond Task Order No. R-21-01_T&B_25 Design, Permitting, and Bidding Phase Services for CT Compliance Improvements at Provin Mountain Reservoirs: Report by Director of Engineering.

Ms. Buttrick reported on Task Order No. 25 with Tighe & Bond for design, permitting, and bidding phase services for the CT Compliance Improvements at Provin Mountain Reservoirs. The activities in this task order include preliminary design services including site survey, hazardous building materials assessment, and electrical supply evaluation; development of 90% and 100% design documents, permitting services, and bidding phase services. The task order value is \$294,924.00. Bidding documents are expected by February 2025.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

**COMMISSIONER RODRIGUEZ
COMMISSIONER OTERO
COMMISSIONER DONNELLAN:**

to authorize the Executive Director to execute Task Order No. 25 with Tighe & Bond.

15. Consideration of Change Order No. 2 to Contract 20220048 Locust Transfer and Flow Optimization Project: Report by Director of Engineering.

Ms. Buttrick reported on Change Order No. 2 to Baltazar Contractors Inc. Contract No. 20220048 for the Locust Transfer and Flow Optimization Project.

This change order includes additions and deletions to the contract as a result of Work Change Directive No. 3, including grout repairs to a slide gate seating defect, and modifications to the flow optimization appurtenances at the Locust/Mill River Relief sewer structure. In addition, the Change Order includes the work of several potential change orders, including work to remove an obstruction in the MIS transfer pipeline.

The change order value is \$433,155.69, which will result in a change in contract price from \$24,950,000 to \$25,383,155.69. The change order also includes a no-cost time extension of 78 calendar days, resulting in a new contract substantial completion date of September 30, 2024.

UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

**COMMISSIONER RODRIGUEZ
COMMISSIONER OTERO
COMMISSIONER DONNELLAN:**

to authorize the Executive Director to execute Change Order No. 2 to Contract 20220048 with Baltazar Contractors, Inc.

16. Consideration of Agreement No. 126292 with Massachusetts Department of Transportation for Reconstruction of Sumner Avenue at Dickinson Street and Belmont Avenue: Report by Director of Engineering.

Ms. Buttrick reported that MassDOT will be conducting a procurement for a proposed roadway reconstruction project at Sumner Avenue at Dickinson Street and Belmont Avenue, which includes components of the Commission's prioritized distribution system infrastructure improvements model. The Commission is acting as a "Non-Participating" entity and has retained Fuss and O'Neill as Engineer of Record for the work, which includes approximately 7,600 LF of water main replacement, with an approximate construction cost of \$4,168,536. The cost to the Commission (or Non-Participating Cost) is estimated to be \$3,059,634 with MassDOT incurring the remainder of the cost. MassDOT will be bidding the project on or about August 31, 2024 and requires this non-participating agreement be executed prior to that bid being advertised. Signing this agreement commits the Commission to the non-participating costs associated with the work that was designed and estimated by Fuss and O'Neill, acting for the Commission.

UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

**COMMISSIONER RODRIGUEZ
COMMISSIONER OTERO
COMMISSIONER DONNELLAN:**

to approve Agreement No. 126292 with MassDOT as presented.

17. Consideration of Fuss & O'Neill Task Order No. R-21-01_Fuss&O'Neill_02 Engineering Services During Construction of the X Project: Report by Director of Engineering.

Ms. Buttrick reported on Task Order No. 2 with Fuss & O'Neill for construction phase engineering services relative to the distribution system infrastructure improvements at Sumner Avenue near Dickinson Street and Belmont Avenue (The X). The activities in this task order include construction administration, resident engineering services, and project closeout. The task order value is \$400,000.

UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

**COMMISSIONER RODRIGUEZ
COMMISSIONER OTERO
COMMISSIONER DONNELLAN:**

to approve and authorize the Executive Director to execute Task Order No. 2 with Fuss & O'Neill.

18. Consideration of Settlement Agreement by and between the Springfield Water and Sewer Commission and the Springfield Water and Sewer Supervisors' Association: Report by Director of Human Resources.

Director of Human Resources Jennifer Boulais reported that Atty. Dupere assisted with the update of three items. The three union contracts originated with the City. Language was updated and modernized. The SACE attorney requested that the SACE contract be broken into two contracts, one substantial, the other as non-substantial (modernized language, job titles, etc.).

Atty. Dupere noted that this was the most changes ever made to the two contracts, and the contracts are now more similar to other contracts in the area. Key highlights involve files on disciplinary actions, filling positions, qualifications, job descriptions, seniority, holidays, and the wage schedule.

Atty. Dupere continued that the wait time to use vacation time was eliminated and modernized to assist in hiring; an unnecessary grievance procedure step was eliminated; and attendance language was modified to be similar to other area contracts.

Mr. Schimmel noted that the Supervisors Union is comprised of 36 people.

UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN:

to authorize the Executive Director to sign the Settlement Agreements as presented.

19. Consideration of Settlement Agreement by and between the Springfield Water and Sewer Commission and the Springfield Association of Commission Employees (SACE) (first agreement): Report by Director of Human Resources.

Ms. Boulais reported that this Settlement Agreement represents the non-substantial and substantial changes to the contract. The substantial changes include making the discipline process the same as the Supervisors contract; updating attendance language and expectations; and incentivizing emergency overtime in order to encourage more responsiveness. Many changes in the SACE contracts are the same as in the Supervisors contract, with the exception that the overtime changes are not part of the Supervisors contract.

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

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN:

to authorize the Executive Director to execute and sign the first and second Settlement Agreements as described.

20. Consideration of Settlement Agreement by and between the Springfield Water and Sewer Commission and the Springfield Association of Commission Employees (SACE) (second agreement): Report by Director of Human Resources.

Voted on as part of Item 19.

AT 10:48 AM, UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND SECONDED BY COMMISSIONER DONNELLAN

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN: to take a brief five-minute break.

AT 10:55 AM, UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND SECONDED BY COMMISSIONER DONNELLAN

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN: to return to public session.

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

Executive Director Josh Schimmel reported on the Health and Human Services meeting and the Apprenticeship Fair, which were both held in June. Mr. Schimmel also reported on the meeting with the Longmeadow Selectboard.

Mr. Schimmel continued that the town of Ludlow has also reached out with questions about rates and governance, and the Commission will provide a response.

Atty. Guz complimented Director of Field Services Ryan Wingerter on a discussion with a Field Service employee as to his positive relationship with other Field Services employees and the opportunities he has with the Commission

Mr. Schimmel reported on a request to donate \$1,000 donation to the Pioneer Valley Rowing Club, as has been done in the past, since PVRC and the Commission's respective missions are closely intertwined with the health of the Connecticut River.

UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND SECONDED BY COMMISSIONER OTERO

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN: to approve a \$1,000 donation to the Pioneer Valley Rowing Club as described.

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

None considered.

Executive Session

23. Consideration of Employment Contract for Executive Director: Report by Commission Counsel.

Tabled.

**AT 11:14 AM UPON MOTION DULY MADE BY COMMISSIONER DONNELLAN AND
SECONDED BY COMMISSIONER OTERO**

VOTED YES –

COMMISSIONER RODRIGUEZ

COMMISSIONER OTERO

COMMISSIONER DONNELLAN: to adjourn.

Submitted By:

Jaimye Bartak, Secretary

Exhibits considered:

June 13, 2024 Meeting Minutes

June 13, 2024 Executive Session Minutes

Monthly Financial Report

Comptrollers Report

CIP Amendments 2025-1 and 2025-2

2024 June Finance Director Report

Southwick Water Contract Amendment

Supervisors' Union Settlement Agreement

SACE Union Settlement Agreements 1 & 2

SWSC Bid No. 24-51 Contract Summary and Hazen Recommendation

R-21-01_H&S_12

R-21-01_T&B_25

Contract 20220048 Change Order No. 2

Non-Participating Agreement - Springfield Agr # 126292

R-21-01_Fuss&O'Neill_02

Contracts Signed by Josh Schimmel

Cobble Mountain Reservoir Capacity