

BOSTON WATER AND SEWER COMMISSION

REGULAR MEETING

Thursday, December 21, 2023

I. CALL TO ORDER

A Regular Meeting of the Boston Water and Sewer Commission was called to order at 10:05 A.M. on Thursday, December 21, 2023, at the executive offices of the Commission, 980 Harrison Avenue, Boston, Massachusetts in its large executive conference room. Under the provisions of Chapter 2 of the Acts of 2023, signed into law by the Governor on March 29, 2023, further extending certain provisions of the Open Meeting law until March 31, 2025, this meeting was also conducted remotely. The dial in and meeting identification were publicly noticed.

Present at the meeting were Commissioner Michael J. Woodall, Commissioner Goncalves and Commissioner Christopher Cook constituting a quorum for the transaction of business; Messrs. Canavan, Dayib, Hoglund, Hunt, LaMarca, Petruzziello, Piacenza, Rossi, Sullivan, Vitale, and Mses. Ma, Mahoney, McSweeney, Randolph and Theodat of the Commission Staff. Commissioner Woodall acted as Chairman and Mr. Vitale acted as Secretary. Also present were additional Commission employees, Special Counsel Henry Luthin and members of the public.

Upon opening the meeting Mr. Vitale asked Chairman Woodall to give an overview of the format of the meeting. Chairman Woodall informed participants that the meeting was being held virtually as well as in person – a hybrid meeting - and that at the conclusion of the open session the Board the Board would be meeting in Executive Session and would then reconvene in open session following Executive Session.

Administration

Approval of Minutes

Consideration was given to a draft of the Minutes of the Regular Meeting of the Commission held on Wednesday, November 22, 2023. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Cook and Commissioner Goncalves, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Minutes of the Regular Meeting of the Commission held on Wednesday, November 22, 2023, be, and they hereby are, approved.

Presentation

1. Presentation on Proposed 2024 Rate Schedules and Current Expense Budget.

Following the presentation by Luciano Petruzziello, Chief Financial Officer, Mr. Vitale requested that the votes related to the request to adopt the proposed 2024 Rate Schedule and Current Expense Budget and the request to adopt the 2024-2-26 Capital Improvement Program be taken out of order, to which the Board agreed.

Finance

1. Request to Adopt the Proposed 2024 Rate Schedule and Current Expense Budget. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves, and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea, and Commissioner Cooke voted yea.

RESOLVED: That the proposed 2024 Rate Schedule and Current Expense Budget, be, and hereby is adopted.

A discussion ensued about the desire and potential to extend stormwater discounts to the elderly and restructuring the grant program. All parties seemed inclined to look at this closer.

2. Request to Adopt the Proposed 2024-2026 Capital Improvement Program. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea, and Commissioner Cook voted yea.

RESOLVED: That the proposed 2024-2026 Capital Improvement Program, be, and hereby is adopted.

Informational Reports

1. Miscellaneous Disbursements (Schedules A, B, & D) in the amount of \$282,046.10.

II. GENERAL MANAGEMENT REPORTS

1. November 2023 Capital Improvement Program Budget Variance Report.
2. November 2023 Monthly Management Report.
3. November 2023 Revenue and Expense Analysis

III. PROPOSALS AND CONTRACTS

Engineering

1. Request for Authorization to Advertise Contract No. 18-309-001, for Replacement and Rehabilitation of Water, Sewer and Drain Pipes in Fenway/Kenmore. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to advertise Contract No. 18-309-001, for replacement and rehabilitation of water, sewer and drain pipes in Fenway/Kenmore.

2. Request for Authorization to Negotiate and Execute Contract No. 23-206-002 for Subsurface Investigation Services. Upon Motion duly made by Chairman Woodall and seconded by

Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to negotiate Contract No. 23-206-002 with BSI Engineering Inc. for subsurface investigation services for a 3-year period in an amount not to exceed \$250,000.00; and the Executive Director is authorized to execute the necessary contract documents.

3. Request for Authorization to Award Contract No. 23-309-014, Modifications to BWSC CSO Regulators 013, 017, 062, 064, 065, and 070. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to award Contract No. 23-309-014, modifications to BWSC CSO Regulators 013, 017, 062, 064, 065, and 070 to P. Gioioso & Sons, Inc. in an amount not to exceed \$10,426,025.05; and the Executive Director is authorized to execute the necessary contract documents.

Administration

1. Request for Authorization to Award Contract No. 23-201-006A, Fire Alarm and Sprinkler Systems Maintenance and Repair Services. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to award Contract No. 23-201-006A, fire alarm and sprinkler systems maintenance and repair services to Encore Fire Protection, for the period of January 1, 2024, through December 31, 2026, with an option to extend twice in one-year increments in an amount not to exceed \$115,650.00; and the Executive Director is authorized to execute the necessary contract documents.

2. Request for Authorization to Utilize Commonwealth of Massachusetts State Contract #PRF75 for Foreign Language Interpretation and Translation Services for Commission Publications and Materials. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to utilize Commonwealth of Massachusetts State Contract #PRF75 for foreign language interpretation and translation services for Commission publications and materials, in an amount not to exceed \$149,000.00; and the Executive Director is authorized to execute the necessary contract documents.

3. Request for Authorization to Utilize Commonwealth of Massachusetts State Contract #OFF48 for Printing and Graphic Design Services for Commission Publication and Materials. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized utilize Commonwealth of Massachusetts State Contract #OFF48, for printing and graphic design services for Commission publications and materials, in an amount not to exceed \$149,000; and the Executive Director is authorized to execute the necessary contract documents.

Operations

1. Request for Authorization to Award Contract No. 24-103-003, for the Purchase of Cold Patch Liquid Asphalt Blend. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to award Contract No. 24-103-003, for the purchase of cold patch liquid asphalt blend to T.L. Edwards Inc. in an amount not to exceed \$86,700.00; and the Executive Director is authorized to execute the necessary contract documents.

2. Request for Authorization reject the lowest bid submitted for Contract No. 24-303-007, Disposal and Reuse of Catch Basin Cleanings and for authorization to award Contract No. 24-303-007 to the second lowest bidder. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to reject the lowest bid from Brighter Horizons Environmental Inc. for Contract No. 24-303-007, disposal, and reuse of catch basin cleanings.

RESOLVED: That the Commission is authorized to award Contract No. 24-303-007, disposal, and reuse of catch basin cleanings to W.L. French Excavating Company in an amount not to exceed \$470,925.00; and the Executive Director is authorized to execute the necessary contract documents.

Organizational Diversity

1. Request for Authorization to Establish a Sheltered Market Program. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to take all steps necessary to establish a Sheltered Market Program; and the Executive Director or his designee is authorized to execute necessary documents.

Legal

1. Request to Adopt the Proposed Amendments to the Commission's Billing, Termination and Appeal Regulations. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the proposed Amendments to the Commission's Billing, Termination and Appeal Regulations, be, and hereby are approved and adopted.

Finance

1. Request for the Approval and Adoption of the Issuance Resolution approving the Thirtieth supplemental Resolution, authorizing the issuance of not to exceed \$100 million principal amount of Boston Water and Sewer Commission General Revenue Bonds (Senior Series), 2024 Series A to finance (including through refinancing commercial paper notes) capital projects of the Commission, to make the required deposit to the Senior Debt Service Reserve Fund and to pay costs of issuance, and related matters. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the proposed Issuance Resolution: (i) adopting the Thirtieth Supplemental Resolution, authorizing the issuance of not to exceed \$100 million principal amount of the Commission's General Revenue bonds, 2024 Series A (the "2024 Bonds") to finance capital projects (including through refinancing commercial paper notes), to provide for the required deposit to the Senior Debt Service Reserve Fund and to pay costs of issuing the Bonds; (ii) authorizing the sale of the 2024 Bonds by competitive bids pursuant to an Official Notice of Sale; (iii) authorizing distribution of a Preliminary Official Statement and Official Notice of Sale to potential 2024 Bond purchasers; (iv) authorizing the execution and delivery of a Continuing Disclosure Agreement and Official Statement; and (v) authorizing all other acts necessary or desirable in connection with the transactions contemplated by the aforesaid documents; be, and hereby are approved and adopted.

2. Request for Authorization to Utilize the Massachusetts State and/or Cooperative Procurement Contracts for the purchase of One (1) SECA Model ECO-900 Sewer Vacuum truck, One (1)

Genesis Water Recycling Sewer Cleaner, One (1) Catch Basin Cleaning Truck, Fifteen (15) Plug-In Electric Hybrid Ford Escapes and One (1) gas powered SUV. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission is authorized to Utilize Massachusetts State and/or Cooperative Procurement Contracts for the purchase of One (1) SECA Model ECO-900 Sewer Vacuum truck, One (1) Genesis Water Recycling Sewer Cleaner, One (1) Catch Basin Cleaning Truck, Fifteen (15) Plug-In Electric Hybrid Ford Escapes and One (1) gas powered SUV in an amount not to exceed \$3,300.000; and the Executive Director is authorized to execute the necessary contract documents.

IV. EXECUTIVE SESSION

There being no further business to come before this meeting, Chairman Woodall advised the Commissioners that it would be appropriate to go into Executive Session to discuss certain matters. Upon Motion duly made by Chairman Woodall and seconded by Commissioner Goncalves and Commissioner Cook, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Commission go into Executive Session to discuss certain matters, the Commission having determined that conducting such business in open meeting would not be in the best interest of the Commission; and further

RESOLVED: That the Commission will reconvene in an open meeting session upon completion of the Executive Session; and further

RESOLVED: To adjourn this open meeting at 11:18 A.M. and meet in Executive Session

Thereupon, at 11:43 A.M. the Commissioners reconvened the Open Meeting.

1. Ratification and approval of a one-year extension to the Executive Employment Agreement of Henry F. Vitale, Executive Director. Upon Motion duly made by Commissioner Cook and seconded by Commissioner Goncalves and Chairman Woodall, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Board of Commissioners approve a one-year extension to the Executive Employment Agreement of Henry F. Vitale.

2. Ratification and approval a one-year extension to the Executive Employment Agreement of John P. Sullivan, Chief Engineer. Upon Motion duly made by Commissioner Cook and seconded by Commissioner Goncalves and Chairman Woodall, Chairman Woodall voted yea, Commissioner Goncalves voted yea and Commissioner Cook voted yea.

RESOLVED: That the Board of Commissioners approve a one-year extension to the Executive Employment Agreement of John P. Sullivan Jr.

ADJOURNMENT

There being no further business to come before the Commission, after further discussion upon Motion duly made by Chairman Woodall and seconded by Commissioner Cook, Chairman Woodall voted yea, and Commissioner Cook yea.

RESOLVED: To adjourn.

Adjourned, accordingly, at 11:44 A.M.

Respectfully submitted,



Henry F. Vitale
Secretary