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John M. Driscoll, *General Manager*

**Light Commissioners' Meeting  
October 6, 2020**

Members present were: Chairman Dana Blais  
Clerk/Secretary Chris Stewart  
Member Gregg Edwards

Employees present were: General Manager John Driscoll  
Light Superintendent Thomas Berry  
Business Manager Jennifer Belliveau

The meeting was called to order at 6:05 p.m. by Dana.

The agenda was approved on a motion from Chris, seconded by Gregg, 3-0 in favor.

The minutes of August 25, 2020 were approved with a motion from Chris, seconded by Gregg, 3-0 in favor.

**Old Business:**

The General Manager (GM) discussed with the Board the residential solar installed at #412 Baldwinville Rd. John Worden, the resident, attended the meeting. His request was to add more solar distributed generation than the 10 kW AC that was already in place. The GM had explained to him in advance that there were reasons for the 10 kW AC limit that the Board voted as policy. Due to the popularity of the state's SREC program rooftop solar was becoming widespread in town, even with some installations right across the road from each other. He had explained to John Worden that too much extra generation on any electrical circuit resulted in voltage increases; this is unavoidable. The GM and LS further explained to him and the Board that even to isolate the solar customer on their own transformer wouldn't solve the over-voltage issue; in fact, this would make it worse since the transformer would have so much less load to serve. The Board agreed with the GM and LS and knew that if they allowed an exemption to one solar customer it would need to be allowed for all. John Worden thanked the Board for their time on this issue and did mention he is looking into installing batteries in the future in lieu of more solar.

There was then a discussion on the upcoming construction projects for TMLP, the operations garage expansion and the transformer storage facility. The LS said there were at least 2 bids for every item as you could see from the handout given out to the Board. Dana asked if we need to take the lowest bid for all sub-sections of the whole bid, as it would be strange to have one contractor perform all of the plumbing work and another perform the HVAC work. Dana expressed interest in using the same

contractor to both. The LS said that this was possible, but he believed the TMLP would have to pay the other lower bidder the difference in order to cover themselves. The LS would speak with Paul Lienick and find out for sure. The Bid opening for both construction projects was October 7 (tomorrow).

The GM discussed the current OPEB Trust balance with the Board. The GM explained that in January 2018 the Medex insurance coverage changed with the Town for retirees and at that time we went from 20% funded to 33% funded according to the next actuarial study by Odyssey. With the updated lower UAAL figure we should be funded within 7 years if we continue paying the \$41K per year to the Trust. We are 54% funded for UAAL as of September 30. Currently our balance in the Trust is \$458K, with \$366K being contributed by the TMLP, resulting in fund returns of \$92K.

The GM updated the Board on the Gardner Airport situation. The GM had mailed a logistical letter out to the National Grid person who deals with these issues. The letter stated our giving them these 8 commercial customers that we would in no way be infringing upon their franchise rights to serve customers in their territories, and the reciprocal of this would be true as well with the TMLP protected. The plan would be to donate to National Grid all the existing infrastructure at the airport site owned by the TMLP (less the revenue meters) as is. The GM stated that this process would take a while and did not anticipate hearing back anything from National Grid quickly on it. He mentioned that should they refuse to accept these 8 customers of ours then we would be forced to increase our electric rates for these 8 customers to at least equal what we'd pay National Grid at the metering pole on Airport Rd.

The LS updated the Board on the mPower data collection, which was now complete. The LS said the data collection is producing lots of helpful information on our distribution system transformer locations and loading. The GM stated that this new data combined with the existing AMI demand data will prove to be very useful for future rate design.

The GM updated the Board on the 2019 net income recently updated by Melanson-Heath. He included some of the audit pages in the Board's packages for reference. The stated net income for 2019 for the TLP was \$1,170,945 and the GM had some thoughts as to what to do with these surplus funds. One of his suggestions was to deposit more into the TMLP OPEB Trust in an effort to reach 100% UAAL funding much quicker than in 2027. The BM had already, at the request of the GM, paid all of the TMLP's past due MMWEC power bills putting us in net 30 status with power bills (2008 was the last time that we were completely caught up). Power supply costs decreased by \$400K from 2018 to 2019, this likely the largest contributor to our current cash position. Dana asked if we could use a new forklift since we'd had our existing one since before we moved into this building. The LS will get some pricing on a new unit. Chris asked if we would be needing any other new vehicles anytime soon that we'll need to pay for. The LS said that our new aerial lift replacement for Truck #23 should be delivered in 2020. The TMLP would need a new 1-ton replacement for Truck #24 but we'd likely need only \$60K or so for this.

### **New Business:**

The GM and LS informed the Board about some poles that had been set on Ross Rd back in 2007 installed to better service the homes at #1 and #3 Ross Rd. Suddenly there was a request from the Chrusciels for the TMLP to move these poles off of "their" land. The Chrusciels brought with them their attorney and also a land surveyor (family member?). The attorney pontificated for some time on just why we should move these Ross Rd poles as soon as possible because they're not on town land, they're

on Chrusciel land. The GM and the LS had both been at odds with this for the last few months since it was well known that this Ross Rd had existed for some time and served as an access way for the residents at #1 and #3 Ross Rd. The TMLP had no reason to believe that this (entire) access road belonged to the Chrusciels, despite the surveyed plans they brought with them stating the opposite. The GM told the Board that back in 2007 when he was the Light Superintendent, he made the decision on these poles' locations. The aerial electric service for #3 Ross Rd had been installed directly over the roof of #1 Ross Rd., a condition known in this industry as "aerial trespass" if no such easement or right-of-way has been established. The GM stated that there were no objections raised by anyone (including the Chrusciels) in 2007 when this project was done, and it was completed simultaneously with the Dudley Rd Reconstruction Project, a state forced-account project. The GM thought it suspect that there had been nothing brought up by the Chrusciels about this Ross Rd for the last 13 years until now.

Ed Chrusciel labored on about the residents at #3 Ross Rd who, according to Ed, had left trash and vehicles all over "his" property and caused other problems. He added that he had called the Templeton Police several times in the past to complain about what the residents at #3 Ross Rd were doing and that they were no help to the Chrusciels at all. The Police felt as if this was a dispute between neighbors and their intervention was not necessary. Incidentally, both the GM and LS felt the same way, that this was all the result of some dispute between #3 Ross Rd and the Chrusciels. (When the GM and LS went to the TMLP's attorney Doucette, he agreed with both of them and said before we went down there to move anything for anyone, this matter needs to go before land court proceedings. Attorney Doucette stated that the Chrusciels could bring attorneys and land surveyors to board meetings to advocate for them, but the TMLP should not alter any of their electrical distribution on Ross Rd until they are ordered to do so via a judge's order.)

Though the Chrusciels had brought surveyed plans with them showing them as the owners of all Ross Rd land between two natural rock walls. The GM and LS were in possession of surveyed plans that were older that showed the contrary. Their position (GM, LS) was that there was an axial boundary line down the middle of Ross Rd allowing access to both parties for vehicles. Now the Chrusciels' attorney was suggesting that we "simply" move Ross Rd poles to the other side of the properties in a 15' wide land strip labeled on several surveyed plans as "easement" (not utility easement). The LS cited his concerns immediately with this idea since the area was grown in enough that we'd need to trim out the easement first to access it. Further, re-locating a utility pole 150' eastward to the right of #1 Ross Rd as opposed to the left of it would only raise objections by the Lisenbes who reside there. The LS was also troubled by the TMLP's future access to the service line which would now be feeding just #3 Ross Rd via the property at #1 Ross Rd; it was beginning to look like aerial trespass again. A few years back the house at #1 Ross Rd was rebuilt and re-fed electric service off of Dudley Rd rather from Ross Rd. So only the house at #3 Ross Rd was being considered now. The LS also brought up the issue of a property fence that had been erected around the Lisenbe property and we couldn't yet know how this would affect our pole installation there. The TMLP seemed to be moving from a position where #3 Ross Rd was being fed electric service legally without bothering #1 Ross Rd to a position where #1 Ross Rd would definitely be affected because of what the TMLP would be doing to continue to service #3 Ross Rd. We would also be stuck with the cost of turning the easement into a temporary roadway so that either the TMLP or a contractor could get a digger-derrick in there 150' to set this utility pole.

There was more back and forth discussion between the Chrusciels and the TMLP but ultimately, the TMLP could not (yet) defend their position on the Ross Rd poles. At this time a vote took place as follows:

*On a motion by Gregg, seconded by Dana, 3-0 in favor the Board voted for the TMLP to move the poles on Ross Rd to the other side of #1 and #3 Ross Rd in the land designated as "easement".*

*Gregg – Aye*

*Chris – Aye*

*Dana – Aye*

The Manager had three handouts tonight:

1. August 2020 Power Supply
2. September 2020 kWh Sales & Revenue
3. October 2020 Retail Rates

There being no other Open Session business to discuss, on a motion by Gregg, seconded by Dana, 3-0 in favor, the Light Commissioners' Meeting adjourned at 7:51 p.m.

Respectfully Submitted,



John M. Driscoll  
General Manager