

Chicopee Municipal Lighting Board
Minutes of Meeting
Wednesday, April 23, 2025

Chairman Pasternak called a regular meeting of the Chicopee Municipal Lighting Board to order at 2:00 PM on Wednesday, April 23, 2025.

Present:

- Chairman Joseph F. Pasternak, III
- Commissioner Daniel T. Maciolek
- Commissioner Daniel J. Mashia
- General Manager and Clerk of the Board, Daniel R. Faille

Approval of Minutes

Commissioner Mashia made a motion to accept the minutes of the March 19, 2025, meeting as presented.

Commissioner Maciolek seconded the motion.

Discussion: None.

Vote: Motion passed 3 to 0.

Financial Approvals

Commissioner Maciolek made a motion to concur with the payment of the following warrants:

Warrant #E032825 dated 3/24/2025 in the amount of \$6,022,591.57; Warrant #E032825 dated 3/19/2025 in the amount of \$137,264.92; Warrant #E040425 dated 3/27/2025 in the amount of \$246,348.14; Warrant #E040425 dated 3/31/2025 in the amount of \$27,561.99; Warrant #E041125 dated 4/07/2025 in the amount of \$256,043.69; Warrant #E041125 dated 4/3/2025 in the amount of \$315,309.18; Warrant #E041825 dated 4/15/2025 in the amount of \$178,314.68 and Warrant #E041825 dated 4/10/2025 in the amount of \$458,801.82.

Commissioner Mashia seconded the motion.

Discussion: None.

Vote: Motion passed 3 to 0.

Commissioner Maciolek made a motion to approve Write-Offs in the amount of \$39,103.48

Commissioner Mashia seconded the motion.

Discussion: None.

Vote: Motion passed 3 to 0.

Bid Approval for OVERHEAD CONDUCTORS – CEL Bid #25-0518

Following evaluation of all bids received, staff recommends awarding items to multiple vendors based on compliance with specifications, pricing, and commercial terms:

Award Recommendation:

Award Items 1, 2, 4, and 7 to Bidder #1 – Irby (Hendrix/Prysmian)

Total Awarded Amount: \$0.00 – \$32,487.50

Rationale: Bidder met specification for all listed items, agreed to waive metals escalation and tariff adder for this one-time purchase, and provided the most favorable pricing for Items 1, 2, 4,

and 7. While pricing excludes tariffs, this was clearly stated and terms were otherwise acceptable.

Award Items 3, 5, and 6 to Bidder #2 – Hurley (Hendrix/Nehring/Prysmian)

Total Awarded Amount: \$0.00 – \$20,075.00

Rationale: Hurley was the only bidder to meet the full technical requirements for Items 3, 5, and 6 without disqualifying substitutions or pricing deviations. While Item 2 was quoted with a 3-layer design rather than 2-layer as specified, this item is not being awarded to Hurley. Their quoted price is firm for 90 days with only metals adjustment.

Disqualified Bids:

Bidder #3 – WESCO (Prysmian): Did not bid on Items 5–7. Bid pricing on Item 2 exceeded specified limits and offered material (3-layer) that did not meet spec.

Bidder #4 – WESCO (Hendrix): Quoted non-specified "WESCO stock" for Item 7, rendering that item disqualified. Pricing terms otherwise mirrored Irby but without waiver of escalation. This multi-award approach ensures the lowest responsible bids are accepted while preserving technical compliance and procurement value.

Motion for Board Approval

A motion was made by Commissioner Maciolek seconded by Commissioner Mashia, to award Items 1, 2, 4, 7 to Bidder #1 - Irby (Hendrix/Prysmian) at Total Awarded Amount up to \$32,487.50 and to award Item 3, 5, 6 Bidder #2 - Hurley (Hendrix/Nehring/Prysmian) at Total Awarded Amount of up to \$20,075.00 for CEL Bid #25-0518, consistent with the recommendation of staff.

Discussion: None.

Vote: Motion passed 3 to 0.

Document: *CEL Bid Package 25-0518*

Bid Approval for Polemount Transformers – CEL Bid #25-0519

Bidder #1 – E.L. Flowers (ERMCO)

Significant contractual exceptions taken, including:

- Cancellation contingent on manufacturer approval.
- No indemnification for intellectual property claims.
- No responsibility for costs of services/products from other vendors.
- Reserves the right to reprice up to the point of shipment due to tariffs, freight, or exchange rate changes.
- Acts solely as a reseller; warranties passed through from manufacturer only.
- Price adjustment: Quarterly.

Bidder #2 – Power Sales (HOWARD)

- Full exception taken to Chicopee Electric Light's terms and conditions; instead proposes Howard's terms.
- Price validity: Firm for 90 days (through 6/17/2025).
- Bidder #3 – WESCO (Prolec)
- Takes an exception to full T&Cs, but provides clearer commercial terms.
- Price validity: Firm through Q2 2025, adjusted quarterly thereafter.

- Manufacturing location: Mexico.
- Escalation clause limited to tariffs or legislative changes, not supplier discretion.

Given the material exceptions taken by Bidders #1 and #2, and the comparatively more favorable commercial and legal positioning of Bidder #3, WESCO (Prolec) represents the most reliable and advantageous option for CEL.

Recommendation: Staff recommend awarding all items to Bidder #3 WESCO (Prolec) at Total Awarded Amount of \$67,604.25

Motion for Board Approval

A motion was made by Commissioner Maciolek seconded by Commissioner Mashia, to award all CEL Bid #25-0519 items to Bidder #3, WESCO (Prolec) at total awarded amount of \$67,604.25, consistent with the recommendation of staff.

Discussion: None.

Vote: Motion passed 3 to 0.

Document: *CEL Bid Package 25-0519*

Executive Session

Motion for the Municipal Light Board to enter into executive session pursuant to M.G.L. c. 30A, § 21(a)(6) for discussing:

1. The potential purchase of an ownership stake in a power plant;
2. Matters related to potential long-term lease negotiations concerning power sales, as discussing these in open session may have a detrimental effect on the public body's negotiating position.
3. For the purpose of approving the minutes from the prior executive session.

The Board will return to open session following the executive session.

Commissioner Mashia made a motion to enter executive session.

Commissioner Maciolek seconded the motion.

Roll Call Vote:

- **Joseph F. Pasternak, III** – Aye
- **Daniel T. Maciolek** – Aye
- **Daniel J. Mashia** – Aye

Vote: Motion passed **3 to 0**.

The Board entered executive session at 2:16 PM

The Board returned to open session at 2:56 PM

Regular Session (Resumed)

New Business – none.

Adjournment

Chairman Pasternak made a motion to adjourn at 2:57 PM Commissioner Mashia seconded the motion. **Discussion:** Next meeting tentatively set for May 21, 2025 at 2:00 PM. **Vote:** Motion passed Motion passed 3 to 0.



Daniel R. Faille, Clerk of the Board

Approved: May 21, 2025