

**MWRA Board of Directors Meeting  
December 16, 2015  
Voting Summary Sheet**

Item Name	Type	Notes	Vote	Discussion Highlights
Approval of Minutes	n/a	n/a	Unanimous	
Report of the Chair	n/a	n/a	n/a	*
Report of the Executive Director	n/a	n/a	n/a	*
Annual Meeting – Election and Appointment of MWRA Officers, Retirement Board Member and Committee Assignments	n/a	<ul style="list-style-type: none"> <li>Designated December 16, 2015 as Annual Mtg Special Meeting to elect officers</li> <li>Elected: John Carroll as Vice-Chairman of Board</li> <li>Appointed: Joseph Foti as Secretary of Board and Bonnie Hale and Rose Marie Convery as Assistant Secretaries</li> <li>Appointed: Matthew Horan as Treasurer and Robert Belkin and Kathy Soni as Assistant Treasurers</li> <li>Appointed Thomas Durkin as a member of the MWRA Retirement Board for a 3-year term</li> <li>Ratified appointment of Board Members to standing committees – new Committee Chairs to be appointed approx. every two years</li> </ul>	Unanimous	
FY17 Proposed Capital Improvement Program (CIP)	Approval	<ul style="list-style-type: none"> <li>Approved: Transmittal of FY17 Proposed CIP to Advisory Board for 60-day review and comment period</li> <li>FY17 proposed projected CIP spending is \$160.1 million</li> </ul>	Unanimous	*
MOA with the City of Newton for Use of Sudbury Aqueduct Lands	Approval	<ul style="list-style-type: none"> <li>Allows Newton to utilize approx. 5,000 square feet of Sudbury Aqueduct land for permanent vehicle access</li> <li>Allows the installation/maintenance of retaining wall and up to 15,000 sq ft during construction of wall</li> <li>Compensation to the MWRA is Newton's assistance in the form of temporary or permanent easements and/or access to public roadways for future MWRA projects</li> </ul>	Unanimous	
Emergency Water Supply Agreement with the Town of Ashland	Approval	<ul style="list-style-type: none"> <li>Approved: 6-month emergency water supply agreement for Town of Ashland</li> <li>Ashland will pay premium and asset value contributions</li> <li>Ashland is required to abide by MWRA Policy #OP.05 rules</li> </ul>	Unanimous	*
Appointment of Program Manager, Monitoring & Control	Approval	<ul style="list-style-type: none"> <li>Appointed: Mr. John P. Beckley</li> <li>Salary: \$105,413 (Unit 9, Grade 29)</li> <li>Effective: Date determined by Exec. Director</li> </ul>	Unanimous	*
Appointment of Deputy Chief Engineer	Approval	<ul style="list-style-type: none"> <li>Appointed: Mr. John P. Colbert</li> <li>Salary: \$142,212.00 (Non-Union, Grade 15)</li> <li>Effective: Date determined by Exec. Director</li> </ul>	Unanimous	*
Bond Counsel, Contract F236	Contract Award	<ul style="list-style-type: none"> <li>Awarded: McCarter &amp; English, LLP</li> <li>Amount: Not to exceed \$1,454,240</li> <li>Term: 4 years from Notice to Proceed</li> </ul>	Unanimous	*
Technical Assistance Consulting Services for John J. Carroll Water Treatment Plant, Contract 7407	Contract Award	<ul style="list-style-type: none"> <li>Awarded: Stantec Consulting Services, Inc.</li> <li>Amount: Not to exceed \$750,000</li> <li>Term: Two Years from NTP</li> </ul>	Unanimous	
Quabbin Power and Security Improvements, Contract 7338	Contract Award	<ul style="list-style-type: none"> <li>Awarded: Ewing Electrical Company, Inc.</li> <li>Amount: \$3,199,000</li> <li>Term: 424 calendar days from NTP</li> </ul>	Unanimous	*
Alewife Brook Pump Station Rehabilitation, Contract 7034, Amendment 2	Contract Amendments /Change Orders	<ul style="list-style-type: none"> <li>Contractor: Fay, Spofford &amp; Thorndike, LLC</li> <li>Amount: \$73,305</li> <li>Term: Extended by 748 calendar days to May 17, 2019</li> </ul>	Unanimous	*
Delegated Authority Report – November 2015	Information	<ul style="list-style-type: none"> <li>Please see related staff summary</li> </ul>	n/a	*
FY16 Financial Update and Summary – November 2015	Information	<ul style="list-style-type: none"> <li>YTD expenses were lower than budget by \$12 million or 4.2%</li> <li>Revenues were higher than budget by 0.5% or</li> </ul>	n/a	*

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		\$1.4 million; net variance is \$13.4 million		
		<ul style="list-style-type: none"><li>CIP YTD spending totals \$42.7 million, \$1.8 million or 4.1% below budget; without community assistance programs, underspending is \$4.5 million, or 14.8%</li></ul>		

Administration and Finance  Wastewater  Water  Personnel \* Advisory Board position



MWRA Advisory Board Summary  
of the  
MWRA Board of Directors Meeting  
Wednesday, December 16, 2015

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on November 18, 2015 at the Charlestown Navy Yard. Present: Chairman Matthew Beaton, Jennifer Wolowicz and Brian Peña, Gubernatorial Appointees; John Carroll, Andrew Pappastergion and Joseph C. Foti, MWRA Advisory Board Representatives; Henry Vitale, Kevin Cotter and Austin Blackmon, City of Boston Representatives; Jack Walsh, City of Quincy Representative. Absent: Paul Flanagan, Town of Winthrop Representative.

**Report of the Chair**

Chairman Matthew Beaton wished everyone a Happy Holiday season. He expressed thanks for a good year during his first year as Chairman of the Board and stated that he looked forward to getting more great work done.

**Annual Meeting – Election and Appointment of MWRA Officers, Retirement Board Member and Committee Assignments**

The Board voted to: (1) designate this December 16, 2015 meeting as the Annual Meeting, which, as provided in the Authority's by-laws, will be deemed a special meeting of the Board for the purpose of election of officers; (2) elect John Carroll as Vice-Chairman of the Board; and (3) appoint Joseph Foti as Secretary of the Board and Bonnie Hale and Rose Marie Convery as Assistant Secretaries; Matthew Horan as Treasurer and Robert Belkin and Kathy Soni as Assistant Treasurers; and Thomas Durkin as a member of the MWRA Retirement Board for a three-year term; and (4) ratify the appointment of Board members to standing committees, as presented and filed with the records of the meeting. New Committee Chairs will be appointed approximately every two years.

**Report of the Executive Director**

MWRA Executive Director Fred Laskey stated "There are heavy hearts today with the passing this morning of our friend and colleague Dave Whelan. Dave was the ultimate professional; I would challenge anyone in the room to stump him. He was a good person and a fun guy to be with. He had a laugh that was infectious. Dave was a good family man and friend to Charlestown."

Board Member Henry Vitale made a motion to send a remembrance to Mr. Whelan's family on behalf of the Board. The motion was seconded and passed unanimously.

A moment of silence was offered in memory of David Whelan.

Mr. Laskey noted that the 15-year \$900 million Combined Sewer Overflow (CSO) Program is scheduled to be completed before December 31, 2015. Staff received notice of substantial completion from the Boston Water and Sewer Commission. The City of Cambridge has assured the Authority that they will be activating at Alewife on December 24<sup>th</sup>.

Board Member John Carroll asked if the Authority will receive a final end to the CSO Program from the Judge. Mr. Laskey stated that Judge Stearns will ask the parties to come to the Court House for a formal ceremony to mark the end of the program.

The Spot Pond Water Tank continues testing and is doing well.

## **Approvals**

### **Transmittal of FY17 Proposed Capital Improvement Program**

The Board voted to approve the transmittal of the FY17 Proposed Capital Improvement Program (CIP) to the Advisory Board for its 60-day review and comment period.

Director of Finance Thomas Durkin provided the Board with a presentation on the [MWRA's Proposed FY17 CIP](#). Mr. Durkin stated that the MWRA continues to focus on Asset Protection and Long-Term Redundancy initiatives and reducing debt levels. The Proposed FY17 CIP meets the overall five-year spending cap requirement. Asset protection is the largest part of the budget.

Mr. Durkin noted a change to the CIP on an updated plan to address critical redundancy improvements for the City Tunnel, the City Tunnel Extension and the Dorchester Tunnel, for which the FY16 CIP included \$518 million for these projects; based on the current range of options, the placeholder value in the FY17 CIP increases that amount by \$882 million to \$1.4 billion.

Mr. Laskey stated that the lack of redundancy for the City Tunnel has been talked about for years. The Authority needs to make a decision on whether to move forward with the \$1.4 billion expenditure. Staff will be making presentations to the Board on a plan over the next several months so that a decision can be made. Staff will work with the Advisory Board and its Operations Committee to see what communities are thinking. The topic should involve mayors and the governor. It is staff's hope to bring this forward for a decision and an option in June.

Mr. Carroll stated that the MWRA has to think through this process; this will be years of construction. Budget Director Kathy Soni noted that construction would last 17 years, from FY18 to FY34. Ms. Soni noted that this is the single largest, most important, change in the budget. The cap recommended by the Advisory Board to ensure that the Authority won't exceed its 5-year capital spending cap, which has been established at \$800 million over five years, is still on target; the Authority is at \$656 million due to under-spending in earlier years. The Advisory Board also recommended that the Community Financial Assistance Programs be excluded from the cap so other projects would not be jeopardized.

Deputy Chief Operating Officer Michael Hornbrook stated that the good news is that the FY17 budget reflects substantial completion of the CSO Program. The 20-year program began in 1996 and will be over as far as construction goes. Over the next three years, MWRA will monitor to prove that the CSO Program worked.

Mr. Laskey reminded the Board that when a settlement was reached with the Justice Department and the Environmental Protection Agency (EPA), as part of the negotiations, the Advisory Board agreed to the CSO Program with the caveat that there be a five-year break to make sure that the program works. The Advisory Board deserves credit for that. Mr. Hornbrook noted that the Advisory Board also recommended that the Authority have projects in the "pipeline" to replace projects that may be moved further out so that the Authority can continue to make progress.

### **MOA with the City of Newton for Use of Sudbury Aqueduct Lands**

The Board voted to authorize the Executive Director, on behalf of the Authority, to execute a Memorandum of Agreement between the Massachusetts Water Resources Authority and the City of Newton, substantially as presented and filed with the records of the meeting, allowing Newton to utilize approximately 5,000 square feet of Sudbury Aqueduct land for permanent vehicle access and the installation and maintenance of a retaining wall and up to 15,000 square feet temporarily during construction of the wall, the compensation for which is Newton's assistance in the form of temporary or permanent easements and/or access to public roadways for future MWRA projects, including the rehabilitation of the Sudbury Aqueduct.

### **Emergency Water Supply Agreement with the Town of Ashland**

The Board voted to authorize the Executive Director, on behalf of the Authority, to execute a six-month Emergency Water Supply Agreement with the Town of Ashland, substantially as presented and filed with the records of the meeting.

Mr. Carroll expressed concern about a third emergency withdrawal. What is happening with the Town of Ashland's efforts to join the MWRA water system as a partial user? Ashland Director of Public Works David Manugian stated that Ashland has begun the state permitting process to become a member. Ashland has gotten back its ENF and EIR and is responding to the EIR.

Mr. Carroll stated that a long-term plan needs to be developed. Manager of Policy and Planning Pam Heidell noted that all the regulatory approvals must be in place before Ashland can move forward.

Board Member Andrew Pappastergion asked if the process will take one year, two years, five years, etc. Mr. Manugian stated that Town Meeting voted to join the MWRA in May 2015. The Town is currently in the permitting process and expects to go before Town Meeting again in May 2016 for funding.

### **Appointment of Program Manager, Monitoring & Control**

The Board voted to approve the Executive Director's recommendation to appoint Mr. John P. Beckley to the position of Program Manager, Monitoring & Control (Unit 9, Grade 29) in the Operations Division, at an annual salary of \$105,413, to be effective on the date designated by the Executive Director.

Mr. Hornbrook noted that this is a technical manager position that is responsible for controls. There were seven candidates, three external and four internal, but two of the internal candidates declined. Ultimately, an external candidate was recommended. Mr. Beckley has high qualifications.

### **Appointment of Deputy Chief Engineer**

The Board voted to approve the appointment of Mr. John P. Colbert to the position of Deputy Chief Engineer (Non-Union, Grade 15), at an annual salary of \$142,212.00, to be effective on the date designated by the Executive Director.

Mr. Hornbrook stated that this position was approved at the last Board meeting to improve the Authority's performance. The position is important for many reasons. It will provide direct oversight on the Capital Program and the Engineering and Construction sections. The position will maintain schedules and compliance in response to an Advisory Board recommendation. This will ensure that the quality of work meets the Authority's high standards.

Three internal candidates applied for this position. John Colbert brings a unique set of qualifications.

Mr. Vitale asked if the Deputy Chief Engineer position is found throughout the country. Mr. Hornbrook responded that he did not do a survey but he would imagine that it would be a common position throughout the country.

### **Contract Awards**

#### **Bond Counsel: McCarter & English, LLP, Contract F236**

The Board voted to approve the recommendation of the Consultant Selection Committee to select McCarter & English, LLP to provide Bond Counsel services and to authorize the Executive Director, on behalf of the Authority, to execute Contract F236 with McCarter & English, LLP in an amount not to exceed \$1,454,240 for a term of four years from the Notice to Proceed.

MWRA Treasurer Matthew Horan stated that four proposals were received, with one firm being rejected because of a conflict of interest. McCarter & English LLP's level of effort by task showed a strong understanding of the complexity of the work and provided the lowest hourly rate for each of the labor categories. They have done an excellent job for the Authority over the last eight years.

Mr. Vitale asked about the average amount the Authority pays bond counsel for its actions. Mr. Horan responded that the Authority will pay a reduced rate of \$70,600 per bond deal, which is back to the 2008 contract rates; it had gone up to \$78,200, \$20,000 for the SRF rate.

#### **Technical Assistance Consulting Services for John J. Carroll Water Treatment Plant: Stantec Consulting Services, Inc., Contract 7407**

The Board voted to approve the recommendation of the Consultant Selection Committee to select Stantec Consulting Services, Inc. to provide Technical Assistance Consulting Services for the John J. Carroll Water Treatment Plant, and to authorize the Executive Director, on behalf of the Authority, to execute contract 7407 with Stantec Consulting Services, Inc. in an amount not to exceed \$750,000, for a term of two years from the Notice to Proceed.

#### **Quabbin Power and Security Improvements: Ewing Electrical Company, Inc., Contract 7338**

The Board voted to approve the award of Contract 7338, Quabbin Power and Security Improvements, to the lowest responsible and eligible bidder, Ewing Electrical Company, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$3,199,000 for a term of 424 calendar days from the Notice to Proceed.

Project Manager Carmine DeMaria provided the Board with a presentation on [Quabbin Power and Security Improvements](#).

Chief Engineer Anandan Navanandan noted that with these improvements, information from closed-circuit cameras and intrusion alarms will be transmitted to MWRA's security office at the Chelsea facility. Mr. DeMaria noted that the Department of Conservation and Recreation and the State Police can also view what is going on and can respond to alarms.

Board Member Joseph Foti asked why there was only one bidder for this contract. Mr. DeMaria stated that staff contacted other firms to ask why they did not bid on this contract and the responses were that the location was too far away and/or that the firms had other work and were too busy.

### **Contract Amendments/Change Orders**

#### **Alewife Brook Pump Station Rehabilitation: Fay, Spofford & Thorndike, LLC, Contract 7034, Amendment 2**

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to increase the amount of Contract 7034 with Fay, Spofford & Thorndike, LLC, Alewife Brook Pump Station Rehabilitation, in the amount of \$73,305, and to extend the term by 748 calendar days to May 17, 2019.

Mr. Pappastergion asked how a two-year extension will affect the project overall. Deputy Chief Operating Officer John Vetere stated that the contractor expects to be done within 18 months, with another year for warranty related issues.

### **Information**

#### **Delegated Authority Report – November 2015**

Director of Administration Michele Gillen provided the Board with a Delegated Authority Report for November 2015, with emphasis on the purchase of 30 new vehicles. The Board was provided with a [“Fleet Update.”](#) Ms. Gillen noted that the vehicle purchases were done through an online auction. This method is used, when appropriate, most notably when a large number of vehicles will be purchased. Bidding online, with dealer’s bidding against each other, brings the cost down.

Board Member Jack Walsh asked if the Authority does the bidding on its own. Ms. Gillen stated that the bidding is done through a third-party vendor.

Mr. Foti asked if the Authority is required to accept the low bid. Ms. Gillen stated that the Authority does not have to accept the bid.

Mr. Laskey noted that sometimes the vendors want to move inventory. Ms. Gillen agreed, noting that these auctions have been an effective tool. The immediate feedback from vendors was that they would never do it again; however, these vendors do continue to participate.

Mr. Carroll asked how staff knows for sure who they are dealing with online. Ms. Gillen stated that the third party vendor has a vetting process to ensure that the party is qualified to bid.

Mr. Foti asked if the third party makes its money from the vendor. Ms. Gillen responded in the affirmative.

Mr. Walsh asked about the Authority’s plans for the vehicles being replaced. Mr. Hornbrook stated that the entire fleet is reviewed and as vehicles are replaced, they are rotated down and the bottom 8 or 9 vehicles are removed through the surplus option. The number of vehicles in the fleet remains the same.

Ms. Gillen noted that the Authority gets as much mileage out of its vehicles as possible through aggressive maintenance; condition is a factor as well.

Mr. Vitale asked what type of maintenance is outsourced. Ms. Gillen stated that the Authority outsources transmission repairs, over-haul work, auto body repairs and spring and suspension work on larger vehicles.

**FY16 Financial Update and Summary as of November 2015**

Director of Finance Thomas Durkin stated that total year-to-date expenses are lower than budget by \$12.0 million or 4.2% and total revenues were higher than budget by \$1.4 million or 0.5% for a net variance of \$13.4 million. Nearly half way through the fiscal year, actuals are as anticipated.

In December, staff will deposit favorable debt service savings into the defeasance account, which will be used for a targeted defeasance in the spring.

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*This summary does not include every item discussed by the Board, nor the full extent of the discussions. Please contact Mary Ann McClellan at the Advisory Board office with questions, comments or requests for more information.*