



**MWRA Advisory Board Summary  
of the  
MWRA Board of Director's Meeting  
Wednesday, July 15, 2009**

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on July 15, 2009 at the Charlestown Navy Yard. **Present:** Chair Ian Bowles, Joel Barrera and Michael Gove, Gubernatorial Appointees; John Carroll, Andrew Pappastergion and Joseph Foti, Advisory Board Representatives; Vincent Mannering and Kevin Cotter, City of Boston Representatives; Jack Walsh, City of Quincy Representative; Marie Turner, Town of Winthrop Representative. **Absent:** James Hunt III, City of Boston Representative.

**REPORT OF THE CHAIR**

Ian Bowles, Chairman of the MWRA Board of Directors, gave an update regarding the onset of the invasive zebra mussels in the Commonwealth. He stated that the Quabbin Reservoir is an area of low risk for zebra mussels due to calcium levels; however, the zebra mussels topic has raised the larger question of private boats in the Quabbin and what are appropriate actions regarding their usage. He indicated he did not want to cause public panic about the public water supply, but he did want to be cautious. In light of these ongoing concerns, the Department of Conservation and Recreation (DCR) will close the Quabbin Reservoir to private boats for 45 days. DCR will take the following actions: test for mussels, evaluate private boats, and adjust management plan to reflect what is learned.

Board Member Jack Walsh asked if 45 days would be sufficient time to determine the threat of zebra mussels. Mr. Bowles responded that it was DCR's call, not the MWRA, although DCR will keep MWRA informed. Board Member Joel Barrera stated that it was not clear to him whether MWRA was actually in control of its own water supply. Mr. Bowles responded that DCR could provide a report that addresses that issue in the next month.

**ANNUAL MEETING: ELECTION AND APPOINTMENT OF MWRA OFFICERS AND COMMITTEE**

**ASSIGNMENTS**

The Board voted to: (1) designate this July 15, 2009 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 the Vice-Chairman of the Board; (3) appoint Joseph C. Foti as Secretary of the Board, and Bonnie Hale and Rose Marie Convery as Assistant Secretaries; Thomas J. Durkin as Treasurer and a member of the Retirement Board for a three-year term, and Matthew Horan and Kathy Soni as Assistant Treasurers; and (4) ratify the appointment of Board members to standing committees. New Committee Chairs will be appointed every two years – with two of the four chairmanships changing each year.

**PRECAUTIONS RE: USE OF NON-DCR RENTAL BOATS IN QUABBIN RESERVOIR**

The Board voted to approve and support the decision of the Department of Conservation and Recreation (DCR) to promptly close the Quabbin Reservoir to boats other than those presently available for rental through DCR for a period of 45 days during which period: (i) tests, inspections and surveys for the presence of zebra mussels in MWRA drinking water source supplies will be undertaken; (ii) MWRA and DCR will evaluate the practice of allowing privately-owned boats in drinking water reservoirs and will consider the potential for requiring the future inspection/cleaning of such boats prior to use in drinking water reservoirs; and (iii) MWRA and DCR will adjust their water supply/watershed management plans accordingly.

## **REPORT OF THE EXECUTIVE DIRECTOR**

MWRA Executive Director Fred Laskey reported that the Authority is in discussions with Reading on potential placement of storage tanks for redundancy purposes in the Northern Intermediate High system. He also stated there were a number of press inquiries about heavy rains causing beach closures. Mr. Laskey noted that he had an upcoming meeting in Quincy regarding Wollaston Beach.

Mr. Laskey stated that earlier this year, he went out to the Quabbin with Board Member Joel Barrera and they discussed the possibility of holding a Board of Directors meeting there in October and Board members could take a tour.

Mr. Laskey provided two project updates: the first on the East Boston sewer separation project which includes 1,200 feet of micro tunneling; and second on the new Blue Hills covered storage tanks that are now in use.

## APPROVALS

### **AMENDMENTS TO MWRA REGULATIONS: ADJUDICATORY PROCEEDINGS, ENFORCEMENT AND ADMINISTRATIVE PENALTIES, AND SEWER USE**

The Board voted to authorize the adoption of amendments to 360 CMR 1.00, 2.00 and 10.000, making changes to MWRA regulations with respect to Adjudicatory Proceedings, Enforcement and Administrative Penalties, and Sewer Use by publication in the Code of Massachusetts Regulations.

The 4.5% across-the-board increase, each year for the next three years, in the Incentive and Other Charges will generate an additional \$80,000 in FY2010, \$165,000 in FY2011, and \$250,000 in FY2012 compared to FY08 amounts. The 4.5% rate is equal to MWRA's average annual sewer rate increase during the past three-year period (FY07-FY09). The actual amount invoiced each year will vary based on the number of facilities in each permit category in each year. The increases in charges are intended to recapture approximately 63% of TRAC's costs of the industrial permit program. Collection of these charges typically runs at approximately 97%.

Carolyn Fiore, Director of TRAC, noted that these amendments are put out for public comment and one set of comments came back regarding using inflation as a guide for rate increases.

Mr. Barrera asked if this was part of an overall evaluation of rates. Ms. Fiore responded in the affirmative. Mr. Barrera asked if the MWRA was recovering 80% of costs. Ms. Fiore responded that the percentage was about 63%.

Joseph Favalaro, Executive Director of the MWRA Advisory Board, stated that changing the structure of the regulations will be a long, tedious process. He said the MWRA is taking great strides in the right direction.

Ms. Fiore stated that the program was designed with several goals and cost recovery is part of it, but so is simplifying and grouping regulations and working cooperatively with businesses to insure maximum compliance.

## CONTRACT AWARDS

### **STEAM AND HYDRO TURBINE GENERATOR MAINTENANCE, DEER ISLAND TREATMENT PLANT: ENERGY RESOURCES GROUP, INC., CONTRACT S480**

The Board voted to approve the award of Contract S480, Steam and Hydro Turbine Generator Maintenance, Deer Island Treatment Plant, to the lowest eligible and responsible bidder, Energy Resources Group, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$1,122,650 for a term of 810 calendar days from the Notice to Proceed.

Contract S480 will provide scheduled annual inspection and maintenance services, as well as emergency and non-emergency repair services, replacement parts and as-needed vendor services for the steam turbine generator (STG), two hydroelectric turbine generators and associated equipment at the Deer Island Treatment Plant. Contract S480 was advertised and three bids were submitted. Staff have reviewed all the bids and have determined that Energy Resources Group, Inc. meets all of the requirements of the bid. Energy Resources' bid price is 25% lower than the Engineer's Estimate. Energy Resources Group holds both the current steam turbine generator maintenance and hydro turbine generator maintenance contracts and is thoroughly familiar with the work associated with both systems.

Funding of \$275,000 is included in Deer Island's FY10 Current Expense Budget for the first year of this contract. Appropriate funding will be included in subsequent Proposed CEB requests for the remaining term of the contract.

### **HULTMAN AQUEDUCT INTERCONNECTIONS: BARLETTA HEAVY DIVISION, INC., CONTRACT 6975**

The Board voted to approve the award of Contract No. 6975, Hultman Aqueduct Interconnections, to the lowest eligible and responsible bidder, Barletta Heavy Division, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$47,542,388 for a term of 1,826 calendar days from the Notice to Proceed.

The MetroWest Water Supply Tunnel was completed and placed in service in 2003. With the majority of the Hultman Aqueduct currently off-line, it is now possible to inspect and rehabilitate the Hultman and to construct the necessary interconnections between the Hultman and the MetroWest Tunnel, which is part of a broader redundancy initiative. This work will also interconnect the Hultman Aqueduct with the Norumbega Covered Storage Tank and will allow the Hultman Aqueduct to be reactivated without using the old open Norumbega Reservoir. With completion of this contract, MWRA will have in place and available for service two independent, reliable and fully interconnected water transmission lines from Shaft C in Marlborough to the City Tunnel in Weston.

Contract 6975 was advertised and six bids were submitted. The bid price submitted by Barletta Heavy Division, Inc. is \$47,542,388 or 12.6% lower than the next lowest bid and 23.1% lower than the Engineer's Estimate. MWRA staff met with key Barletta staff who confirmed their understanding of the scope of work and requirements of this contract.

The FY10 CIP contains a budget of \$61,950,000 for Contract 6975. The proposed contract award amount is \$47,542,388. This project was included on DEP's 2009 Intended Use Plan and bid in accordance with all American Recovery and Reinvestment Act contract requirements; therefore, this project is eligible for the use of SRF stimulus funding. Depending on the size of MWRA's final allocation from the statewide \$52 million Drinking Water stimulus funds, a portion of the project costs may be funded with SRF-administered principal forgiveness loans, directly reducing the principal outstanding for this capital project and eliminating the debt service expense for those funds going forward.

Board Member Kevin Cotter stated that this is a good bid but it is so much lower than budget. He asked what kind of review staff does to ensure the bid's accuracy.

Jae Kim, Director of Water Engineering, responded that staff met with Barletta and discussed the bid extensively. He noted that Barletta has been very familiar with the project over the last 10-15 years and they plan to do most of the work with their own staff, rather than sub-contractors. He said they also have good contacts with suppliers. He said they are committed to the bid price. Chief Operating Officer Michael Hornbrook stated that staff have reviewed everything, met with Barletta, and the explanations on bid pricing seem reasonable.

Board Member Joe Foti stated that this says more that the Engineer's Estimate is too high. On many contracts, the Engineer's Estimate is much higher; does staff need to re-evaluate these estimates? Kevin Feeley, MWRA Managing Director, responded that the trends are due to the economy. Mr. Foti responded that if the economic environment has changed, perhaps the Authority's approach to the Engineer's Estimate should be changed. Mr. Foti said that he was not saying that the Engineer's Estimate is inflated, but if things are changing, the Authority might consider changing its approach.

Board Member Vincent Mannering stated that Barletta should have few excuses on this contract since they've had so much time to study it. Board Member John Carroll stated that there should be no change orders on this contract.

Mr. Carroll asked about this project and the Capital Improvement Program (CIP); is the Authority going to have a reduced five-year spending plan? Mr. Hornbrook responded that sometimes projects pop up that we don't plan on (like PCB removals). Mr. Carroll responded that the Authority should be reducing the CIP spending cap. Mr. Hornbrook responded that every year, staff compares actual costs with engineering estimates.

Chief Financial Officer Rachel Madden stated that with the first five year cap, the Authority came in \$2 million below the cap. Board Member Andrew Pappastergion stated its time to take a look at reducing the spending cap.

Mr. Pappastergion stated that the bid is the bid – low bids are harder to manage and that falls on staff's responsibility. Staff has to keep a close eye on change orders.

### **SECTION 28 SUCTION TO BRATTLE COURT PUMP STATION: J. D'AMICO, CONTRACT 6546**

The Board voted to approve the award of Contract No. 6546, Section 28 Suction to Brattle Court Pump Station, to the lowest eligible and responsible bidder, J. D'Amico, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$1,978,895 for a term of 547 calendar days from the Notice to Proceed.

This project includes the cleaning and cement-mortar-lining of approximately 6,250 feet of 20-inch diameter, cast-iron pipe (Section 28) and the replacement of its connection to the 56-inch-diameter Weston Aqueduct Supply Main 3 (WASM 3) transmission main. This project will support the future rehabilitation of WASM 3 and is important to maintaining service to communities during the WASM 3 project. The Brattle Court Pump Station serves the Northern Extra High System. Section 28, which is now more than 100 years old, is the oldest of the suction mains that serve the pump stations.

Contract 6546 was advertised and competitively bid; seven bids were received. J. D'Amico, Inc. submitted a bid that is \$71,105, or 3.5%, less than the next lowest bidder and \$69,705 or 3.4% less than the Engineer's Estimate. Staff have determined that J. D'Amico, Inc. possesses the skill, ability and integrity necessary to perform this work and is qualified to do so.

The Final FY10 CIP includes a budget of \$2,063,000 for Contract 6546; the bid price is \$1,978,895. This project was included on DEP's 2009 Intended Use Plan and bid in accordance with all American Recovery and Reinvestment Act contract requirements; therefore, this project is eligible for the use of SRF stimulus funding. Depending on the size of MWRA's final allocation from the statewide \$52 million Drinking Water stimulus funds, a portion of the project costs may be funded with SRF-administered principal forgiveness loans, directly reducing the principal outstanding for this capital project and eliminating the debt service expense for those funds going forward.

### **SECTIONS 18, 50 & 51 REHABILITATION: THE DOW COMPANY INC., CONTRACT 6394**

The Board voted to approve the award of Contract No. 6394, Sections 18, 50 & 51 Rehabilitation, to the lowest eligible and responsible bidder, The Dow Company, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$4,720,826 for a term of 820 calendar days from the Notice to Proceed.

This project includes the cleaning and cement-mortar-lining of approximately 15,000 feet of 16-, 20- and 48-inch cast-iron pipe (Sections 18, 50 & 51) in Medford and Somerville. These pipelines supply water to Somerville and Medford from the north and the west through connections with the 60-inch Weston Aqueduct Supply Main 3 (WASM 3) and the 48-inch Shaft 9, Line B along the Mystic River. Section 18 consists of 16-inch and 20-inch cast-iron pipe that is 90 to 100 years old. Section 50 is a 20-inch, 86-year-old cast-iron pipe and Section 51 is a 48-inch, 94-year-old, cast-iron pipe. All sections are in need of rehabilitation.

Contract 6394 was advertised and seven bids were received. The Dow Company, Inc.'s bid is \$672,274 or 12.5% less than the next lowest bidder and is \$905,753, or 16%, below the Engineer's Estimate, which staff believe is reflective of the current competitive bidding environment. MWRA staff determined the The Dow Company possesses the skill, ability and integrity necessary to perform the work under this contract.

The FY10 CIP includes a budget of \$6,005,000 for Contract 6394. The bid price of \$4,720,826 is within the CIP budget. This project was included on DEP's 2009 Intended Use Plan and bid in accordance with all American Recovery and Reinvestment Act contract requirements; therefore, this project is eligible for the use of SRF stimulus funding. Depending on the size of MWRA's final allocation from the statewide \$52 million Drinking Water stimulus funds, a portion of the project costs may be funded with SRF-administered principal forgiveness loans, directly reducing the principal outstanding for this capital project and eliminating the debt service expense for those funds going forward.

**NORTHERN INTERMEDIATE HIGH SHORT-TERM IMPROVEMENTS: DESIGN, CONSTRUCTION ADMINISTRATION AND RESIDENT INSPECTION SERVICES: DEWBERRY-GOODKIND, INC., CONTRACT 7045**

The Board voted to approve the recommendation of the Consultant Selection Committee to select Dewberry-Goodkind, Inc. to provide design, construction administration and resident inspection services for the Northern Intermediate High Short-Term Improvements project, and to authorize the Executive Director, on behalf of the Authority, to execute a contract with Dewberry-Goodkind, Inc. in an amount not to exceed \$825,171.36 for a term of 49 months from the Notice to Proceed.

MWRA's Northern Intermediate High service area provides water to the communities of Reading, Stoneham, Wakefield, Wilmington and Woburn through a single 48-inch pipeline (Section 89), which is fed by the Gillis Pump Station, at Spot Pond in Stoneham. The construction of a redundant pipeline and new storage tanks has been assigned a Priority One under MWRA's Water Master Plan due to the potential critical threat to public health that could result from a failure in this single transmission main. The Final FY10 CIP includes a \$70 million program for design and construction of long-term improvements consisting of a redundant pipeline, new storage tanks and Section 89/29 rehabilitation to address these deficiencies. This program is scheduled to be completed in 2017.

Dewberry-Goodkind, Inc. submitted the low bid and is familiar with MWRA design standards and requirements. Staff are of the opinion that Dewberry-Goodkind, Inc. has the necessary experience and personnel to complete this project and is qualified to do so.

The FY10 CIP includes a budget of \$1,244,400 for Contract 7045.

**DAM SAFETY MODIFICATIONS AND REPAIRS, DESIGN AND ENGINEERING SERVICES DURING CONSTRUCTION/RESIDENT ENGINEERING AND INSPECTION: GZA GEOENVIRONMENTAL, INC., CONTRACT 7211**

The Board voted to approve the recommendation of the Consultant Selection Committee to select GZA GeoEnvironmental, Inc. to provide design, engineering services during construction and resident inspection services for the Dam Safety Modifications and Repairs project, and to authorize the Executive Director, on behalf of the Authority, to execute a contract with GZA GeoEnvironmental, Inc. in an amount not to exceed \$1,534,741.00 for a term of 1,460 calendar days from the Notice to Proceed.

The work under Contract 7211 will include design and construction of specified dam repairs at all locations, parapet walls along portions of the crests of the Foss and Weston dams, and installation of a non-mechanical gated spillway and associated modifications at Foss Dam. Staff anticipate that this work will be prepared under two separate construction contracts, with the first contract focusing on repairs at the Waban Hill, Chestnut Hill, Sudbury and the Wachusett Open Channel Lower dams; the second contract would address the repairs and safety modification work at the Foss and Weston dams.

GZA GeoEnvironmental, Inc. (GZA) was unanimously selected as the first-ranked firm. GZA proposed the lowest cost, which is 15.4% or \$279,972 lower than the cost proposal submitted by the second-ranked firm.

The Final FY10 CIP includes a budget of \$1,501,756 for Contract 7211; the contract award amount is \$1,534,741.

## CONTRACT AMENDMENTS/CHANGE ORDERS

### **REPAIR AND MAINTENANCE OF MARINE FACILITY, DEER ISLAND TREATMENT PLANT: C. WHITE MARINE, INC., CONTRACT S425, CHANGE ORDER 3**

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 3 to decrease the amount of Contract No. S425 with C. White Marine, Inc., Repair and Maintenance of Marine Facility, Deer Island Treatment Plant, by \$105,867.52.

The work under Contract S425 included the replacement of a damaged section of Berth 3's docking structure, which required replacing 11 piles and associated chocks, and replacement of worn and damaged parts of Personnel Pier Floats 1 and 2.

Change Order 3 consists of the following:

1. Decrease in Unit Price and Allowance Items (\$105,867.52)

This item is comprised of multiple decreases in the estimated quantities of unit price bid items and allowances to reflect the actual quantities used during the contract. Change Order 3 is for a net credit amount of (\$105,867.52).

Mr. Laskey stated that there is ongoing discussion on whether a new float/pier should be for personnel. Mr. Vetere stated that the life of the existing personnel ferry is ending and will need to be replaced. He said that staff may downsize to a smaller pier; he noted that decision would be brought before the Board.

### **GRIT AND SCREENINGS HAULING AND DISPOSAL: CHARTER ENVIRONMENTAL, INC., CONTRACT S441, CHANGE ORDER 3**

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 3 to decrease the amount of Contract No. S441 with Charter Environmental, Inc., Grit and Screenings Hauling and Disposal, by a lump sum credit amount of \$117,026.13.

Contract S441 was a two-year contract to haul and dispose of "minor residuals" from various MWRA wastewater facilities. Change Order 3 consists of the following:

1. Increases/Decreases in Unit Price and Allowance Items (\$117,026.13)

This item is comprised of multiple increases and decreases in the estimated quantities of unit price bid items to reflect the actual quantities used during the contract. This item, for a net credit amount of (\$117,026.13) includes seven credits totaling (\$197,914.25) and two additions totaling \$80,888.12, with an absolute value of \$278,802.37. The cumulative total value of all change orders to this contract will be (\$117,026.13) or (5.26%) of the original contract amount. Work on this contract is 100% complete.

### **BOILER AND WATER HEATER SERVICE: COOLING AND HEATING SPECIALISTS, INC., CONTRACT OP-63, CHANGE ORDER 3**

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 3 to decrease the amount of Contract No. Op-63 with Cooling and Heating Specialists, Inc., Boiler and Water Heater Service, by a lump sum credit amount of \$8,863.09.

Contract OP-63, a 960-day contract approved under delegated authority in October 2006, provided annual cleaning services, and non-emergency and emergency repair services for 47 boilers and 15 water heaters located at various MWRA facilities, including four headworks, ten wastewater pumping stations, three CSO facilities, the Chelsea Screen House, seven water pumping stations, and the two Chelsea Facility buildings. The contract expired on July 6, 2009.

Change Order 3 consists of the following:

1. Increases/ Decreases in Unit Price and Allowance Items (\$8,863.09)

This item is comprised of multiple increases and decreases in the estimated quantities of unit price bid items and allowances to reflect the actual quantities used during the contract. This item, for a net credit amount (\$8,863.09) and two additions totaling \$106,820.87, with an absolute value of \$222,504.83. The cumulative value of all change orders to this contract will total \$60,562.91 or 11.2% of the original contract amount. Work on this contract is 100% complete.

## INFORMATION

### **ZEBRA MUSSEL UPDATE**

Jonathan Yeo, DCR's Director of Water Supply Protection, updated the Board of Directors about the first confirmed presence of the invasive species, zebra mussels, in Massachusetts (in Laurel Lake in Lee and Lenox). Municipalities were authorized to enforce limited restriction on the use of boat ramps at other Berkshire County water bodies deemed at-risk to infestation by the highly destructive species.

In 2005, DCR developed a Rapid Response Plan for the Zebra Mussel, which focused on public education, and preventing and/or slowing the spread of the mussels from one body of water to another. The plan directs the state to take steps to minimize the transport of the mussels when infestation is extensive. Steps may include "screening of outlets, curtaining of inter-basin channels and preventing human use of the body of water."

Mr. Laskey posed the question: "What should our response be to the recent news of the invasive species of mussels found in Western Massachusetts?" He noted that the MWRA and the Advisory Board were both very concerned about the potential impact on the Quabbin. He asked how the Authority should proceed. What precautions should be taken? Should we place limitations on outside fishing boats to prevent any possible spread? He said the risk is extremely high – the Quabbin Reservoir is connected to the Wachusett; the stakes are high.

Board Member Joel Barrera asked who makes the call to ban private boats. Mr. Laskey responded that the MWRA partners with DCR to make the decision.

Mr. Yeo noted that DCR has been concerned for years about zebra mussels; we have an extensive volunteer network set up to spot invasive species. He noted that Laurel Lake is a perfect environment for the zebra mussel. Officials closed the private boat ramps at Laurel Lake for 45 days and signs have been posted at Quabbin that Laurel Lake boats are prohibited from entering.

Mr. Yeo noted that the chemistry of the Quabbin is a very different environment than where the zebra mussels thrive. He stated that while he has concerns about other invasive species entering the Quabbin, he was not concerned about the zebra mussel. He stated in regard to boat traffic, fisherman tend to [unofficially] have Quabbin-only boats. He stated that boat/launch staff question boats coming into the Quabbin about where they have been previously. He said that staff has the capability to turn boats away if they are suspicious that they'll be a problem. He noted that staff will get a better sense of the situation over the next few months of how big the problem is. He said that rangers are on duty and will do inspections of boats and will send people to a car wash if there is reason to be concerned. The rangers know the fisherman and they are committed to protecting the Quabbin. He also noted that rules for the boating program are regulated and changes to it would go through the regulatory process.

Board Member Michael Gove asked if there is flexibility to take emergency action in the short term. Mr. Yeo responded that he was unsure. Mr. Gove asked if DCR was confident that the Quabbin is not infested. Mr. Yeo responded that the Quabbin chemistry is not good for zebra mussels – they need calcium to grow.

Board Member John Carroll asked what the danger level is. Mr. Yeo responded that he felt it was pretty low. He said he is more concerned about other invasive species.

Chief Operating Officer Michael Hornbrook said, "I have concerns about zebra mussels." He indicated that zebra mussels specifically have not been looked for in the Quabbin. He noted that the risks are extremely high and that the calcium levels don't make the Quabbin free and clear of potential invasion. He stated that he thought there was risk.

Mr. Barrera stated that the question is, does the Board say "shut it down" now in regard to the boat ramps used by private boaters. Mr. Yeo stated that steps are being taken to ensure safety.

David Coppes, Director of Western Operations, stated that he had concerns about questioning people and how accurately they respond. It's not always possible to see evidence on the boats. Mr. Yeo responded that the rangers know all the recreational fisherman who fish on the Quabbin.

Board Member Kevin Cotter asked who gets to make the call as to whether to shut down the reservoir to private boaters? Mr. Laskey stated that the MWRA could argue that it was a public health concern and shut it down.

Mr. Gove asked if there are any chances for on-site treatment. Mr. Yeo responded that the locations are pretty remote and it would be tough to do that, although we can have these discussions over the next months.

Joseph Favaloro, Executive Director of the MWRA Advisory Board, stated that there are approximately 200 boats versus 2.5 million water users. He stated that DCR has done a great job at handling the situation, but it only takes one mussel to cause a serious problem in the Quabbin. He said that the outlined steps may be too late and we can't wait until September to address this. The problem is there and it only takes one user to transmit the invasive species. He stated that it makes far more sense to say no to private boats until a plan is in place. He stated that the Advisory Board wants to weigh in on the additional steps. Mr. Favaloro said the irony is the Authority has spent \$3.5 million on watershed lands to protect the water supply, yet today we're talking about plopping this potential threat directly into the water.

Mary Booth, Executive Director of the Water Supply Citizens Advisory Committee, stated that she agreed with Mr. Favaloro and that the risks outweigh everything. She noted that the Authority and others must do everything possible to protect the water supply.

Mr. Laskey asked what the down side is of being cautious and temporarily keeping private boats out of the watersheds? This is a unique body of water that supplies the drinking water for 2.5 million people. He noted that the risks seem high.

Board Member Vincent Mannering stated that this is our water supply; we have to protect it. He asked, "Can you imagine if we didn't take this vote and a year from now, the Quabbin is full of zebra mussels? The Board must vote to ban private boats."

Mr. Yeo responded that his perspective is that the discovery at Laurel Lake does not change the threat to the Quabbin. He stated that most fishermen on the Quabbin are loyal and friendly users.

Board Member Joe Foti asked if a vote was taken today to ban recreational boats, would the MWRA have the authority to enforce it. Mr. Yeo responded that it would have to be ordered through regulation and partnerships and it would take time. He stated that there are many lakes in the watershed that are not regulated; there are many points of possible impact. Mr. Coppes stated that the Authority won't need to take water from the Ware River in the next 45 days.

### **YEAR TO DATE WATER USE COMPARISON**

Leo Norton, MWRA Assistant Manager of Rates, Revenue & Finance, presented the June water use report to the Board. He stated that usage is down and the decrease in usage is related to rain. Mr. Carroll asked if staff could provide historical context for this information. Mr. Cotter asked for information on trends in low flow technology, etc.

Mr. Hornbrook stated that one of the reasons we're low is because partial users haven't needed MWRA water because of the rainy season. Mr. Laskey noted that we are having winter use when normally numbers are through the roof. This creates havoc on our communities who budget projected use.

Mr. Barrera asked if the water industry overall is having the same issues re: reduced usage. Mr. Coppes responded in the affirmative, noting that staff recently met with officials from New York City and they are seeing the same trends.

Mr. Cotter noted that all new construction utilizes water efficiency measures. The cost of water is causing people to conserve.

### **DELEGATED AUTHORITY REPORT- JUNE**

Staff presented a listing of delegated authority actions over \$25,000 for the period June 1 through June 30, 2009. This report is broken down into two sections: construction/professional services and purchasing.

Mr. Gove asked why the elevator maintenance and repair service wasn't bid together. Mr. Hornbrook noted that it was previously bid together, but it made the contract too large so staff split them up to get more competition.

Mr. Pappastergion asked why there are so many Microsoft licenses compared to the number of employees. Mr. Feeley responded that not all the licenses are assigned to people, some are automated systems. Joe Barrett, Acting Director of MIS, also noted that there are laptops that require licenses. Mr. Mannering asked how many extra laptops there are. He noted there are still a lot of licenses compared to the number of employees. Mr. Barrett responded that there are 176 laptops. Mr. Mannering stated that he has been asking for a strategic plan for 15 years; he suggested it was time for staff to address that.

### **PROGRESS OF BWSC-IMPLEMENTED CSO PROJECTS AND PROJECTED FINANCIAL ASSISTANCE THROUGH DECEMBER 2009**

Under the Memorandum of Understanding (MOU) and Financial Assistance Agreement (FAA) between MWRA and BWSC for the Implementation of CSO Control Projects, BWSC is responsible for implementing nine of the 35 projects in MWRA's Long-Term CSO Control Plan.

Staff plan to transfer \$7,644,027 into the BWSC CSO account to cover anticipated eligible costs through December, 2009.

BWSC continues to make significant progress toward completing the CSO projects it is responsible for implementing on schedules that comply with milestones in Schedule Seven of the Federal Court Order in the Boston Harbor Case. From 1996 through June 2009, BWSC spent a total of \$207.4 million for eligible work funded by MWRA for the projects in the MOU and FAA. BWSC has substantially completed the South Dorchester Bay, Stony Brook, Neponset River, Constitution Beach and Fort Point Channel sewer separation projects, for which BWSC installed more than 237,000 linear feet (45 miles) of new storm drains. BWSC continues to perform project work that is eligible for MWRA funding.

The Approved FY10 CIP budget includes \$306,215,000 for design and construction of the BWSC-implemented CSO projects in the MOU and FAA. The budget is based on updated BWSC project cost estimates reviewed and approved by MWRA, in accordance with the terms and conditions of the MOU and FAA.

### **PROGRESS OF THE TOWN OF BROOKLINE-IMPLEMENTED CSO PROJECT AND PROJECTED FINANCIAL ASSISTANCE THROUGH DECEMBER 2009**

Under the Memorandum of Understanding (MOU) and Financial Assistance Agreement (FAA) between MWRA and the Town of Brookline for the Implementation of CSO Control Projects, Brookline is responsible for implementing the Brookline Sewer Separation project, one of 35 projects in MWRA's Long-Term CSO Control Plan. The Brookline project is intended to reduce treated discharges from MWRA's Cottage Farm CSO facility to the Charles River Basin.

Staff plan to transfer \$606,500 into the Brookline CSO account to cover anticipated eligible costs in the period July through December 2009, bringing the total amount of MWRA funds that have been transferred to the Brookline CSO account to \$3,688,893.

Brookline issued the Notice to Proceed with the first of two construction contracts, which includes installation of storm drains north and south of Beacon Street, on November 21, 2008, in compliance with Schedule Seven.

Related to the separation work being implemented by Brookline, MWRA is responsible for cleaning its outfall pipe (MWR010) to ensure the outfall has adequate capacity to convey Brookline's separated stormwater to the Charles River. MWRA plans to complete the outfall work prior to completion of the Brookline sewer separation work.

The Approved FY10 CIP budget includes \$21,010,000 for design and construction of the Brookline Sewer Separation Project. The CIP also includes \$3,000,000 for MWRA design and construction contract services to clean the MWR010 outfall.

Mr. Laskey stated that this is part of the court-ordered CSO plan. He noted that the state auditor is currently reviewing the CSO plan, especially the stormwater tunnel along the beach.

Mr. Walsh asked why there is a request for \$1.6 million. Mr. Hornbrook responded that staff looks at the community's situation and is conservative. He noted that the Authority does not want to give too much upfront.