

**MWRA Board of Directors Meeting
June 27, 2012
Voting Summary Sheet**

Item Name	Type	Notes	Vote	Discussion Highlights	Attachments
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	*	
Final FY13 Capital Improvement Program	Approval	Approved FY13 CIP with a budget of \$164.9 million Five-year spending of \$846.7 million	Unanimous	*	
Final FY13 Current Expense Budget	Approval	Adopted the FY13 Final Current Expense Budget Current revenue and expenses of \$635.9 million. Adopted the FY13 Final Operating Budget	Unanimous	*	
Final FY13 Water and Sewer Assessments	Approval	Adopted water system assessments of \$196,001,401 and sewer system assessments of \$411,510,599 for Fiscal Year 2013	Unanimous		
Disclosure Counsel Services: Greenberg Traurig, LLP, Contract F218	Contract Award	Approved the recommendation of the Consultant Selection Committee to select Greenberg Traurig, LLP to provide Disclosure Counsel services Not to exceed \$669,500.00 for a term of four years	Unanimous		
Accounts Payable and Payroll Depository Services: RBS Citizens, N.A., Contract F219	Contract Award	Approved the recommendation of the Consultant Selection Committee to select RBS Citizens to Provide account payable and payroll depository services to the Authority Not to exceed \$40,497.60	Unanimous		
Residuals Processing Facility Technology Options Assessment: CDM Smith, Inc., Contract 7147A	Contract Award	Approved the recommendation of the consultant Selection Committee to select CDM Smith, Inc. to perform a Residuals Facilities Technology Options Assessment Amount of \$614,178.00, for a term of 365 days	Unanimous		
Records Center/Warehouse Lease Agreement- Marlborough: SDCO St. Martin, Amendment 4	Contract Amendments/Change Orders	This item was postponed until further analysis is conducted	Unanimous	*	
Remote Headworks Upgrades: Malcolm Pirnie, Inc., Contract 7206 Amendment 1	Contract Amendments/Change Orders	Approved Amendment No. 1 to extend the term of Contract No. 7206 By 458 days to June 30, 2018 No increase in total contract amount	Unanimous	*	
Executive Director's Performance Review and Contract Extension	Other Business	Voted to rate the performance as Excellent Extend employment agreement by one year to June 3, 2015 Increase current salary by 1.5% effective July 1, 2012 and 1.5% effective January 1, 2013	Unanimous		
Extension of Contract for Chief Operating Officer	Other Business	Voted to extend the term of the employment by one Year to May 31, 2015 Increase in salary of 1.5% effective July 1, 2012 Increase 1.5% increase effective January 1, 2013	Unanimous		
Delegated Authority Report-March 2012	Information	n/a	n/a		

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FY12 Financial Update and Summary as of May 2012	Information	Total year to date expenses are lower than budgeted By \$5.7 million Wages and salary overspent by \$142,000 due to COLA pay increases, will be balanced at the end of the fiscal year due to a lower headcount at \$200,000 under budget	n/a	*	
Comparison of MWRA's Long-Term CSO Control Program with the CSO Programs of other Agencies And Municipalities	Information	Comparison revealed that the MWRA is closer to completing its long-term CSO control and obligations as well as achieving water quality	n/a	*	

Administration and Finance
 Wastewater
 Water
 Personnel
 * Link to Advisory Board position



MWRA Advisory Board Discussion Highlights
of the
MWRA Board of Directors Meeting
Wednesday, June 27, 2012

- *Please note that this serves to highlight active discussion on agenda items at the Board of Directors meeting.*
- *Language directly from the staff summary is highlighted in grey, while discussion remains in plain text*
- *Please see the attached summary sheet for a complete list of Board actions.*
- *Detailed background information on each agenda item can be found in the Board of Directors packet available on our website at: www.mwraadvisoryboard.com.*
- *PowerPoint presentations made to the Board of Directors have been included in the May Discussion Highlights*

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on June 27, 2012 at the Charlestown Navy Yard. **Present:** Chair Rick Sullivan and Joel Barrera, Gubernatorial Appointees; John Carroll, Andrew Pappastergion and Joseph Foti, Advisory Board Representatives; Vincent Mannering and James Hunt III, City of Boston Representatives; Jack Walsh, City of Quincy Representative; Marie Turner, Town of Winthrop Representative **Absent:** Michael Gove, Gubernatorial Appointee; Kevin Cotter City of Boston Representative.

Report of the Chair

No Report.

Report of the Executive Director

MWRA Executive Director Fred Laskey reported that discussions continue with Tri-Town (Braintree, Holbrook and Randolph). Mr. Laskey explained that he along with Executive Director of the Advisory Board Joe Favaloro and MWRA staff recently met with Mayor Sullivan of Braintree and there is a time scheduled to also meet with the town manager of Holbrook, things are moving in a positive direction.

Mr. Laskey explained that there will be a new initiative called "Open Checkbook" posted on the MWRA website. This checkbook mirrors the one that the Commonwealth is currently using. This is essentially a tool available to the public in order to promote transparency and open government. The "Open Checkbook" will include the employer's updated salaries along with vendor information. The goal is to enhance accountability, provide critical information and increase citizen participation. There have been several MWRA staff members working on putting this module together and it is now up and running on the MWRA homepage.

APPROVALS

Final FY13 Capital Improvement Program

The Board voted to approve the FY13 Capital Improvement Program (CIP), with a budget of \$164.9 million, for Fiscal Year 2013 and five-year (FY09-13) spending of \$846.7 million, as presented in Attachment A and filed with the records of the meeting.

Board member Joel Barrera asked how much of the CSO program is court-mandated? Ms. Madden responded that all of it was court-mandated. The MWRA has a lot of high level-control compared to other jurisdictions but that is a good thing.

Board member Andrew Pappastergion stated that primacy is needed at the state level here in Massachusetts and is something he believes the Board should get behind. He stated that if staff looks at the costs and benefits, there really is no cost involved. Mr. Laskey stated staff summaries can be put together to start the process on this. Mr. Laskey explained that local DEP does not have a primary role on wastewater issues but is secondary over EPA. The main burden is on EPA for regulatory issues. The Water Infrastructure Finance Commission took a look at this when putting together their report and their recommendation was for Massachusetts to have primacy. Mr. Laskey explained that he spoke with the regional director of EPA and he seemed open-minded about this topic. Mr. Laskey believed it is an important matter to continue discussing.

Final FY13 Current Expense Budget

The Board voted to adopt the FY13 Final Current Expense Budget as set forth in Attachments A and B and filed with the records of the meeting, with current revenue and expenses of \$635.9 million; and to adopt the FY13 Final Operating Budget (Trustee's Budget) as set forth in Attachment D and filed with the records of the meeting.

Board member John Carroll commended staff for its efforts on deciding on a 3% rate increase following a 3.49% increase from last year. Mr. Laskey stated that per the Board's direction, staff determined that the impact of the incremental changes on future years were marginal and as such deemed it appropriate to recommend the 3.0% assessment increase in alignment with the Advisory Board's recommendation.

Final FY13 Water and Sewer Assessments

The Board voted to adopt the following effective July 1, 2012: (1) Water system assessments of \$196,001,401 and sewer system assessments of \$411,510,599 for Fiscal Year 2013; (2) FY13 sewer assessments of \$500,000 for the Town of Clinton and \$206,682 for the Lancaster Sewer District; (3) FY13 charge to the City of Worcester of \$129,099 which represents approximately 7.9% of the direct operating expenses for the Clinton Wastewater Treatment Plant; and (4) FY13 water assessments of \$3,056,914 for the City of Chicopee, \$655,277 for South Hadley Fire District #1, and \$609,67 for the Town of Wilbraham.

CONTRACT AWARDS

Disclosure Counsel Services: Greenberg Traurig, LLP, Contract F218

The Board voted to approve the recommendation of the Consultant Selection Committee to select Greenberg Traurig, LLP to provide Disclosure Counsel services and to authorize the Executive Director, on behalf of the Authority, to execute contract F218 with Greenberg Traurig, LLP in an amount not to exceed \$669,500.00 for a term of four years from the Notice to Proceed.

Accounts Payable and Payroll Depository Services: RBS Citizens, N.A., Contract F219

The Board voted to approve the recommendation of the Consultant Selection Committee to select RBS Citizens, N.A. to provide account payable and payroll depository services to the Authority and to authorize the Executive Director, on behalf the Authority, to execute Contract F219 with RBS Citizens, N.A. in an amount not to exceed \$40,497.60 for a term of four years from July 1, 2012 to July 1, 2016.

Residuals Processing Facility Technology Options Assessments: CDM Smith, Inc., Contract 7147A

The Board voted to approve the recommendation of the Consultant Selection Committee to select CDM Smith, Inc. to perform a Residuals Processing Facilities Technology Options Assessment and to authorize the Executive Director, on behalf of the Authority, to execute Contract 7147A with CDM Smith, Inc., in the amount of \$614,178.00 for a term of 365 days from the Notice to Proceed.

CONTRACT AMENDMENTS/CHANGE ORDERS

Records Center/Warehouse Lease Agreement-Marlborough: SDCO St. Martin, Amendment 4

The Board voted to postpone this item until further analysis is conducted regarding the cost of constructing a facility versus leasing.

Remote Headworks Upgrades: Malcolm Pirnie, Inc., Contract 7206, Amendment 1

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment No. 1 to extend the term of Contract No. 7206 with Malcolm Pirnie, Inc., Remote Headworks Upgrade, by 458 days to June 30, 2018, and reallocating funds within the contract, with no increase in total contract amount.

OTHER BUSINESS

Executive Director's Performance Review and Contract Extension

The Board voted to: (1) Rate the performance of Frederick A. Laskey, Executive Director, for Fiscal Year 2012 as excellent; (2) Extend the term of the Executive Director's employment agreement and appointment as Executive Director by one year to June 3, 2015; and (3) Increase his current salary by 1.5% effective July 1, 2012 and 1.5% effective January 1, 2013; subject to his consent.

Extension of Contract for Chief Operating Officer

The Board voted to: (1) Extend the term of the employment agreement with Michael J. Hornbrook, Chief Operating Officer, by one year to May 31, 2015; and (2) Authorize the Executive Director to implement a salary increase for the Chief Operating Officer of 1.5% effective July 1, 2012 and 1.5% effective January 1, 2013; subject to his consent.

INFORMATION

Delegated Authority Report - May 2012

No discussion.

FY12 Financial Update and Summary as of May 2012

Director of Administration and Finance Rachel Madden explained that the total year-to-date expenses are lower than budgeted by \$5.7 million. One important item to highlight is that wages and salaries are overspent by \$142,000 as a result of unbudgeted regular pay cost of living adjustments (COLAs) for the collective bargaining agreements reached in FY12 offset by lower than budgeted filled positions and unpaid time off. This will be balanced by the end of the fiscal year due to a lower headcount and the MWRA will be under budget by \$200,000.

Comparison of MWRA's Long-Term CSO Control Program with the CSO Programs of other Agencies and Municipalities

Senior Program Manager David Kubiak gave a presentation that compared MWRA's progress on Combined Sewer Overflow (CSO) control with other communities. The comparison reveals that MWRA appears to be closer to completing its long-term CSO control obligations and achieving water quality benefits than most large CSO metropolitan areas in the country.

Board member Marie Turner stated the MWRA has made extraordinary achievements in water quality standards and this needs to be recognized. Chief Operating Officer Michael Hornbrook stated that at the end of 2030, the City of Philadelphia will reach its CSO target but the MWRA has already achieved it at the present time.

Board member James Hunt stated that the MWRA and the City of Boston have worked on CSO's for quite some time. Mr. Hunt explained from a CSO perspective it is important to benchmark this against other cities when measuring water quality improvements that EPA requires. Mr. Hunt questioned how another city or town is able to achieve a level of performance that the MWRA has been able to do through a CSO, 100 year storm, etc. The other question is in terms of the cost, per gallon, are they achieving the same level of performance as the MWRA.

If you are interested in viewing the full presentation on the MWRA CSO Control Progress and Achievements Relative to Other Permittees Nationwide, please click [here](#).

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