



## Executive Committee Meeting

Friday, June 12, 2015  
8:30 AM

Advisory Board Conference Room  
100 1<sup>st</sup> Avenue, Building 39-4  
Boston, MA 02129

### Attendees

Michael Rademacher	Arlington	Lou Taverna	Newton	Joseph Favaloro	Staff
John Sullivan	BWSC	Michael Coffey	Quincy	Matthew Romero	Staff
Tim MacDonald	Cambridge	Nick Rystrom	Revere	Cornelia Potter	Staff
Katherine Dunphy	Milton	Brendan O'Regan	Saugus	Travis Ahern	Staff
Andy Pappastergion	MWRA Board	John DeAmicis	Stoneham	Mary Ann McClellan	Staff

### MINUTES APPROVED AT THE SEPTEMBER 11, 2015 MEETING

#### I. Approval of the May 15, 2015 Minutes of the Executive Committee

Chairman Katherine Haynes Dunphy called the meeting to order at 8:35 a.m. A motion was made **TO APPROVE THE MAY 15, 2015 MINUTES OF THE EXECUTIVE COMMITTEE**. It was seconded and passed by unanimous vote.

#### II. Report of the Executive Director

MWRA Advisory Board Executive Director Joseph Favaloro stated that Advisory Board staff, led by Travis Ahern, has put together an educational video on the Advisory Board to establish who we are. For example, on numerous occasions the Advisory Board has given the "Legislator of the Year Award" and the legislator will thank Fred Laskey for the honor. That means that some of the legislators do not know who the Advisory Board is as distinct from the MWRA. The video will be a short introduction and will be followed next week by a 30-year history of the Advisory Board's accomplishments. The Authority is putting together a similar presentation of 30 years of highlights as well. The video shown at this meeting is the "kick off" on the ["Just the FAQs"](#) video series.

Mr. Favaloro noted that next week, working in association with the North East Biosolids and Residuals Association (NEBRA), staff will be getting together with interested parties to discuss the molybdenum issue. Participants will include Massachusetts Department of Environmental Protection (DEP), Environmental Protection Agency (EPA), the New England Fertilizer Company (NEFCo), the Advisory Board, MWRA and representatives from the City of New York (which has a higher permitted molybdenum level) and is the entity that did the technical paper on the higher molybdenum level.

There have been further "off the record" discussions with DEP, working in conjunction with former CFO Rachel Madden, who is now working on Executive Order 562 for the Administration and there is a real desire to move on this. After this meeting, there may be a change in attitude from DEP and we would have more ammunition to raise the limit and make a change in the regulations. The Advisory Board hopes to have something in play by FY17. A lot of progress has been made, due to the Advisory Board's efforts. Relating to the Governor's Executive Order, this is a "win-win" for all parties.

In regard to the Advisory Board's field trip in August, staff is stumped on where to go. The MWRA has become more of a maintenance agency with very few large projects in the works. Staff is trying to identify a field trip

that makes sense and has asked the Division of Water Supply Protection if there are any activities at the Wachusett Reservoir or Sudbury that might be of interest.

Staff has begun internal discussions on what to include in a MuniWorks workshop for the month of October. Any thoughts or ideas would be useful to staff.

**III. Action Item: Draft Letter to Congressional Delegation Regarding Tax-Exempt Bonds**

Mr. Favaloro noted that the Advisory Board had a great presentation at the March Advisory Board meeting from Geoff Beckwith of the Massachusetts Municipal Association (MMA) in regard to the MMA's efforts to keep the tax-exempt status of municipal bonds. Staff provided a [draft letter](#) to Congress regarding the Advisory Board's attempt to weigh in on the topic, sending the message to the congressional delegation to hold harmless the municipal bonds tax-exempt status and specifically mentions the MWRA.

A motion was made **TO APPROVE THE DRAFT LETTER TO CONGRESS RELATING TO KEEPING THE TAX-EXEMPT STATUS OF MUNICIPAL BONDS.** It was seconded and passed by unanimous vote.

**IV. Action Item: Pursuant to MWRA Policy # OP.11, New England Center for Children's Request to Increase Sewer Discharges from 6,000 gallons per day (GPD) to 12,500 GPD**

Mr. Favaloro noted that the New England Center for Children (NECC) has requested a 6,500 gallon per day (GPD) expansion of its previously approved sewer discharge of 6,000 GPD, which had been approved in 2000. The discharge will flow from Southborough into Framingham. There is no water resource issue. All regulatory requirements have been met and support letters have been received from Southborough and Framingham.

The NECC will make a four-to-one reduction in inflow from the Framingham system through a series of replacements of sump pumps and will provide proof that these reductions have been made.

An additional entrance fee payment of \$24,228 will also be made.

A motion was made **TO APPROVE THE NEW ENGLAND CENTER FOR CHILDREN'S REQUEST TO INCREASE ITS DISCHARGE BY 6,500 GPD FOR A TOTAL OF 12,500 GPD. THIS MOTION IS SUBJECT TO PARAMETERS SET FORTH IN MWRA POLICY # OP.11, "REQUESTS FOR SEWER SERVICE TO LOCATIONS OUTSIDE MWRA SEWER SERVICE AREA."**

**THIS INCLUDES PROVISIONS THAT ASSURE:**

**1) THE APPLICANT WILL CONTINUE TO BE RESPONSIBLE FOR PIPE MAINTENANCE AND REASSURING THAT NO CONNECTIONS WILL BE MADE TO THE PIPE WITHOUT PRIOR APPROVAL BY THE MWRA.**

**2) ALL SEWER SYSTEM CONNECTIONS SHALL RECEIVE APPROVAL FROM: COMMUNITY OF ORIGIN, TRANSPORTING COMMUNITY, OTHER REGULATORY BODIES, MWRA ADVISORY BOARD AND MWRA BOARD OF DIRECTORS.**

**3) THE APPLICANT, WORKING COOPERATIVELY WITH THE FRAMINGHAM BOARD OF PUBLIC WORKS, MUST REALIZE A 4-TO-1 REDUCTION IN INFLOW TO THE FRAMINGHAM WASTEWATER SYSTEM, PROVIDING AN APPROXIMATE DAILY REDUCTION OF 26,000 GPD.**

**THE APPLICANT WILL PAY A CONNECTION FEE BASED ON THE ADDITIONAL AVERAGE DAILY FLOW OF 6,500 GPD OF APPROXIMATELY \$24,228 BASED ON FY15 ASSET VALUE. IF THE APPLICATION TO MWRA AND SUBSEQUENT BOARD APPROVAL IS NOT COMPLETED BY THE END OF JUNE, THE ENTRANCE FEE WILL BE BASED ON THE FY16 ASSET VALUE, WHICH MAY VARY SLIGHTLY.** It was seconded and passed by unanimous vote.

**V. Status: FY16 Budget Process**

Advisory Board staff met with the MWRA Board of Directors last week to have the hearing on the Advisory Board's comments and ideas and concepts and the Authority's response to those. It was a healthy back and forth. The consensus of the Board was that the increase be no greater than 3.5%.

Authority and Advisory Board staff have met since that meeting and determined that the rate revenue requirement proposed to the Board at its June 24<sup>th</sup> meeting will be 3.4%. Other than the rate increase, there were not many differences of opinion in the recommendations that the Advisory Board has made.

Lou Taverna asked when the final assessments will be given to the communities. Mr. Favaloro stated that MWRA staff will have assessments as soon as the Board weighs in on the final rate increase on June 24.

Matthew Romero noted that the combined increase is recommended at 3.4%; however, the split between water and wastewater will have a higher assessment on the water side.

Next year Lynn will be coming onto the MWRA water system for about one year, which will help with the water assessments for communities by spreading the cost over a larger base for fiscal year 2017.

Staff has had three meetings with Southfield in regard to system expansion and despite numerous meetings with Tri-Town (Braintree, Holbrook and Randolph), it is unlikely that Tri-Town will join the MWRA system.

The City Tunnel is a huge water capital project that is coming; it is a significant project that will range from \$600 million to \$1 billion. There is currently one line for the Greater Boston area and this project would create a redundancy for that line.

Chairman Dunphy asked if it would be possible to get information on how much the water increases will be going up because some people only pay for water. Mr. Favaloro said yes; once the FY16 budget is approved, the draft increases will be looked at for future increases.

**VI. Stormwater Discussion**

Mr. Favaloro stated last month we had discussion on what the MWRA's role would be going forward with stormwater permits and stormwater in general. John Carroll suggested putting a committee together to

identify whether the MWRA has a role, be it minimal or large, for stormwater. He had asked for discussion on this topic at this month's Executive Committee meeting.

Advisory Board staff believes the MWRA shouldn't have a role in stormwater as it is not its responsibility, other than to offer an educational piece.

Lou Taverna asked what Boston Water and Sewer Commission's (BWSC) position is on this topic. Could there be strength in numbers for the lower Charles River Basin communities or should the upper Charles River communities group together? John Sullivan stated that he doesn't believe the Authority has a role in stormwater. First, some of us are in different watersheds and we have different total maximum daily loads (TMDLs). In watersheds we could get together as communities but it is all land-based. Can you imagine the MWRA becoming a taxing authority because it will have to bill the people for stormwater usage based on their land size and their impervious areas. It would create another bureaucracy and it could wind up costing more.

Mr. Sullivan said when you look at all the municipalities, this is not a service that is delivered by a set of pipes and taken away by a central set of pipes. Who would be in charge of all the different drainage systems? The biggest part is how to do this efficiently for the ratepayer. Efficiency would have it being done town by town; the town would determine how best to deal with its issues and problems within its own town. If we wanted to do one entity, why would we tack it to the MWRA? There could be a separate stormwater board, similar to the Advisory Board, and they would be charged with creating new laws regarding stormwater fees for different municipalities. They would tell communities how to run their own systems.

Mr. Taverna asked where John Carroll is coming from in this discussion. Mr. Sullivan said he thinks it is related to having a large area and to have one agency oversee a large area and that he understands his position; however, this is a different "animal" with all of the rainfall and all of the problems.

Michael Coffey said the MWRA does have a connection with the runoff that goes into the sewer systems. Mr. Sullivan said yes, maybe. Mr. Coffey said maybe there could be some small advocacy or working group because we all have the same interest but different needs and requirements. Mr. Sullivan said he didn't think it would be a bad thing for a watershed-based group to get together but that is not the MWRA. Could it happen that the MWRA gets involved? Yes, but it would be very expensive.

John DeAmicis said in a smaller community, it is harder to develop the expertise you need to deal with all of these issues. Boston could develop the expertise to deal with the stormwater but he didn't think that Stoneham could. Mr. DeAmicis said he thinks John Carroll is saying that communities should band together to do this the right way.

Andy Pappastergion stated that regulations are developed all the time that require us, as municipalities, to comply with them and if we don't have the expertise in-house, we go out and hire them; we comply. Mr. Pappastergion said he thinks this is a huge, huge mistake. Keep the MWRA out of it. Mr. Coffey said other than the education component; MWRA could standardize the information into brochures on how to educate the public, which could be standard for the communities.

Mr. Sullivan said there may be communities that are side by side and that are in the same watershed. It doesn't mean that these two communities shouldn't make a regional stormwater entity, with a joint

agreement, and could pool their resources to hire one consultant to figure out how to do it. Mr. Sullivan said there are regional school systems, a regional stormwater entity makes sense to him.

Mr. Pappastergion said to address the point that the MWRA is related because of the stormwater runoff into the sewers, MWRA has already taken the lead to allow you as a community to fund those types of programs. He stated that he has a hunch that EPA and the watershed associations want to drag the MWRA into this. I can see it coming.

Mr. Coffey stated that he wouldn't want the MWRA representing Quincy.

Mr. Sullivan said you can go to an organization like the New England Interstate Water Pollution Control Commission (NEIWPCC) that has stormwater for all of New England and they have resources everywhere and request every educational item they have to help the communities and they could likely find a grant to fund it. All of this could and should be done. That perhaps would be better driven through the American Public Works Association (APWA), which is the perfect place to drive this process, plus an agency like NEIWPCC to get you all you need for education. The MWRA is up and running, don't screw it up.

Mr. Pappastergion said there is another group out there that we have been a member of for years called the Massachusetts Coalition for Clean Water Stewardship, which is an advocacy group for stormwater issues. They have done a decent job at lobbying.

Mr. Sullivan noted there is another good group in central Massachusetts that is up in arms about MS4, which is more about stopping this foolishness, rather than developing educational tools.

Mr. Coffey asked if Mr. Sullivan saw any role for the MWRA in this stormwater discussion. Mr. Sullivan said he doesn't believe the MWRA should be involved in stormwater at all. They already have their role in having the I/I Program for communities. Other than that, it is how your community wants to treat the stormwater to meet the regulations and requirements. It should be all your decision within your community.

Mr. Pappastergion said if the MWRA were involved, you might as well not have bothered to separate your sewers from storm drains and just sent it all to Deer Island and built a huge mega plant out there to deal with it all.

**VII. Annual Evaluation of the Executive Director**

A motion was made **TO GO INTO EXECUTIVE SESSION AT 9:19 A.M. FOR THE PURPOSE OF DISCUSSING THE ANNUAL EVALUATION OF EXECUTIVE DIRECTOR JOSEPH FAVALORO.** It was seconded and a roll call vote was taken:

**Yes**

**No**

**Abstain**

Coffey  
DeAmicis  
Dunphy  
MacDonald

O'Regan  
Sullivan  
Taverna

Upon returning to open session at 9:53 a.m., a motion was made **TO PROVIDE AN EXCELLENT REVIEW TO EXECUTIVE DIRECTOR JOSEPH FAVALORO, JR., A STEP INCREASE IN SALARY EFFECTIVE JULY 1, 2015 AND A ONE-YEAR CONTRACT EXTENSION TO JUNE 30, 2017.** It was seconded and passed by unanimous vote.

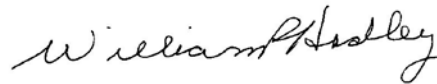
**VIII. Approval of the Advisory Board Agenda for June 18, 2015**

A motion was made **TO APPROVE THE ADVISORY BOARD AGENDA FOR THE JUNE 18, 2015 MEETING.** It was seconded and passed by unanimous vote.

**IX. Adjournment**

A motion was made **TO ADJOURN THE MEETING AT 9:54 A.M.** It was seconded and passed by unanimous vote.

Respectfully submitted,

A handwritten signature in cursive script that reads "William Hadley".

William Hadley, Secretary