

**MWRA Board of Directors Meeting
December 12, 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	*	
Transmittal of the Proposed Fiscal Year 2014 Capital Improvement Program to MWRA Advisory Board	Approval	Approved transmittal of the FY14 Proposed Capital Improvement Program (CIP) and the next five-year spending cap for FY14-18 to the Advisory Board for its 60 day review and comment period.	Unanimous	*	
2012 Legislative Summary and Upcoming Agenda for 2013-2014 Session	Approval	Approved the MWRA's legislative agenda for 2013-2014. This also included an amendment for support of two new Advisory Board's initiatives that include an Economic Development bill and an online sales tax revenue bill.	Unanimous	*	
Approval of New Wastewater Advisory Committee Member	Approval	Approved Craig A. Allen for membership to the Wastewater Advisory Committee.	Unanimous		
PCR Amendments-December 2012	Approval	Approved the amendment to the Position Control Register (PCR).	Unanimous		
Waste Sludge Centrifuges Power and Control Systems Upgrade-Deer Island Treatment Plant: J.F. White Contracting Company, Contract No. 7057	Contract Awards	Approved the award of Contract No. 7057 to J.F. White Contracting Company Amount of \$3,932,000 For a contract term of 730 calendar days	Unanimous	*	
North Main Pump Station Variable Frequency Drives and Synchronous Motor Replacement-Deer Island Treatment Plant, ESDC and RE/I Services: Fay, Spofford & Thorndike, LLC, Contract No. 7062	Contract Awards	Approve recommendation of the Consultant Selection Committee to Fay, Spofford & Thorndike Execute Contract No. 7062 Amount of \$1,321,624 for a term of 42 months	Unanimous	*	
Quabbin Ultraviolet Disinfection Facility: Daniel O'Connell's Sons, Inc., Contract No. 6776	Contract Awards	Approved award of Contract No. 6776 Amount of \$5,476,000 Term of 580 calendar days	Unanimous		
Phase 1A Electrical Upgrade Design-Oakdale Facility, ESDC and RE Services: Fay, Spofford & Thorndike, LLC, Contract No. 7229, Amendment 1	Contract Amendment/Change Orders	Approved Amendment 1 to extend term of Contract No. 7229 For a term of 18 months to July 20, 2014 No increase in contract amount	Unanimous		
Delegated Authority Report-November 2012	Information	Staff discussed policy on vehicles for MWRA use. There was a recommendation to replace and recycle vehicles in order to trade down. Vehicles would be replaced and not added to the fleet.	n/a	*	
State Ethics Commission On-Line Training Programs	Information	MWRA General Counsel Steven Remsberg gave an overview of the Ethics on-line training program. Employees are expected to complete the training on-line by April 5, 2013 and print out a completion certificate for MWRA records.	n/a	*	
FY13 Financial Update and Summary as of November 2012	Information	MWRA is averaging 18 positions below headcount and lower fringe benefits. Attrition continues with retirement but there have also been some new hires recently.	n/a	*	
Aquatic Invasive Species Control in Wachusett Reservoir	Information	MWRA staff made a presentation on Aquatic Invasive Species in the Wachusett Reservoir. There was a discussion amongst Board members on how to manage or eliminate the growth of this plant.	n/a	*	

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



MWRA Advisory Board Summary
of the
MWRA Board of Directors Meeting
Wednesday, December 12, 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 the discussion remains in plain text.*
- *Please see the attached summary sheet for a complete list of Board actions.*
- *PowerPoint presentations made to the Board of Directors have been included in the December Discussion Highlights*

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on December 12, 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 Brian Swett, City of Boston Representatives; Jack Walsh, City of Quincy Representative; Paul Flanagan, Town of Winthrop Representative. **Absent:** Michael Gove, Gubernatorial Appointee; Kevin Cotter, City of Boston Representative.

Report of the Chair

Chairman Rick Sullivan stated that the presentation on the Science and Technical Advisory Committee (STAC) report to the Quabbin Watershed Advisory Committee (QWAC) and Ware River Watershed Advisory Committee (WRWAC) was a success. There were a total of forty-six people in attendance at the meeting. Dr. Barten, Chair of STAC did a good job with the presentation. DCR is now putting together a formal notice for a public hearing process.

Chairman Sullivan also thanked Board member Vincent Mannering for contributions to the Board and his service to the ratepayers of the MWRA. Mr. Mannering will be stepping down from the Board in January for retirement.

Report of the Executive Director

MWRA Executive Director Fred Laskey explained to the Board some technical challenges that members were experiencing with the use of iPads for downloading Board materials. There were extra passwords put in place for Executive Session purposes. For future use, members will go in once with their password and will get into the documents without an additional password.

Mr. Laskey stated that there was a celebration for the completion of a two-year water main replacement project on Route 1 South in Saugus and Lynnfield. This was of great importance for the Towns of Saugus and Lynnfield.

On a serious note, MWRA is plowing ahead with its partnerships with Brookline and Boston for CSO projects in 2013. The issues regarding the City of Cambridge's CSO projects have risen over the last couple of months. Contractors have raised concerns that underground utilities such as Verizon have posed a problem to maintain progress. MWRA staff is working with the City of Cambridge on a work plan to keep this project on schedule and will also be informing Judge Stearns on this issue.

On behalf of the MWRA and Board, Mr. Laskey stated that he echoed Chairman Sullivan's sentiments on Mr. Mannering. Mr. Laskey invited Mr. Mannering to the January Board meeting to be honored for his services over the years.

Approvals

Transmittal of the Proposed Fiscal Year 2014 Capital Improvement Program to MWRA Advisory Board

The Board voted to approve the transmittal of the FY14 Proposed Capital Improvement Program (CIP) and the next five-year spending cap for FY14-18 to the Advisory Board for its 60-day review and comment period.

Board member Joel Barrera asked if staff was being aggressive about redundancy. Chief Operating Officer Michael Hornbrook stated that staff is being as aggressive as they can be on redundancy. The work has begun and staff has taken a realistic look at the permitting schedule. In terms of the Chelsea Headworks Facility, this will be the first capital project that staff will start to work on. The lessons learned from the Chelsea project will help with future projects.

Mr. Barrera asked if the cap is being reduced, will anything be compromised. Mr. Hornbrook stated that staff had outlined the Master Plan and some parts are on an aggressive schedule. In the capital budget, there are some projects that are necessary but do not have the same priorities. Mr. Laskey stated that staff requests have been reduced over the next five years. Staff is not eliminating anything from the Master Plan but rather pushing out the timeline. There is some risk involved but nothing life threatening. The MWRA is not going to receive any funding this year and staff is not sure of what will happen with healthcare. There is a clear message that rates will be impacted and that the MWRA is not just hearing this from the Advisory Board but other sources as well.

Mr. Barrera stated that earlier in the summer, he spent a lot of time in Brooklyn, New York. If Boston had a storm surge, what would happen to Deer Island? Mr. Laskey stated that Deer Island would be fine but not the rest of the state. Mr. Hornbrook stated that staff has always had an emergency plan in place. However, what happened in New York has made staff review that plan again. Staff will measure itself against other facilities to determine what its priorities should be. Mr. Laskey stated that we are looking at how to save facilities by having Sanitary Sewer Overflow (SSO) but if everything is under water, how does that work? There will have to be a serious discussion on what will work best. Director of Administration and Finance Rachel Madden stated that there is definitely a new awareness on this across the Board. Mr. Laskey stated that Hurricane Sandy has changed our perspective on how we do things for emergency purposes.

Board member John Carroll asked what was causing the issues with the pipes at Deer Island. Mr. Hornbrook stated that the glass lining of these sludge lines is not creating a good barrier. MWRA Deputy Chief Operating Officer John Vetere stated that the problem may have come from a contractor over tightening it and crushing the glass. There are cracks in the line. The installation might be different this time. The 12-inch lines are normally used for this method.

Board member Andrew Pappastergion stated that the bottom of the line was protected; it would not have corroded the way it did. Mr. Hornbrook explained that the problem is that the industry standard marks this pipe as the best. Staff is still examining the corrosion of this pipe; more information will be provided to the Board in FY14. Mr. Mannering asked if the pipe is going to be inspected before it is replaced. Mr. Vetere stated that yes, staff will be inspecting it. There is also going to be a flushing system put in place. Staff does not use all clarifiers, which will help prevent it from happening again.

Mr. Favaloro stated that he was pleased that the MWRA for meeting the spirit of the Advisory Board's recommendation from last year. The Advisory Board looks forward to reviewing the CIP and adjusting the CAP further if warranted.

If you are interested in viewing the full presentation made at the Board of Directors meeting, please click [here](#).

2012 Legislative Summary and Upcoming Agenda for 2013-2014 Session

The Board voted to adopt a position of support for establishing MWRA Rate Relief as the top legislative priority for the upcoming 2013-2014 session and support the re-filed bills, as presented and filed with the records of the meeting. There was also an amendment made at the Board meeting to include support for MWRA Advisory Board legislation on Economic Development and Online Sales Tax Revenue.

MWRA Public Affairs Director Kevin McCluskey noted that on the bottom of page 3 of the legislative staff summary, staff was seeking support on an easement on Commonwealth land located in the Town of Ware to the MWRA. In addition, staff is also seeking support from the Board on the Advisory Board's economic development bill to assist communities with expanding into the MWRA system.

Mr. Mannering asked if the Legislature was ever approached by staff with regard to fully funding the Clinton line-item. Mr. Favaloro stated that the Advisory Board and MWRA staff has made many attempts in the past. Mr. Mannering stated that there is no reason to subsidize Clinton for millions of dollars. He noted that it's the MWRA's permit, not Clinton's permit. Mr. Mannering stated Clinton has been paying nothing for years. Mr. Mannering explained that he understood the rapport with the legislature but at some point, the legislators of the MWRA need to know that they are being taken on this one. Mr. Laskey stated that staff will continue to advocate and not let up on this line-item. Mr. Mannering asked what Clinton's total budget was? MWRA budget director Kathy Soni stated that it is \$2.6 million. Mr. Mannering stated that you can also add that Clinton doesn't pay a dime for wholesale water as well. Mr. Barrera asked if there is a different way of handling this through a fee or if something regulatory can be put in place. Mr. Laskey stated that staff has been trying to do this in another area; there is a meeting with the Town of Holden on the same type of issue. Mr. Mannering stated that something needs to be done, the subsidy is enormous. If the permit is violated, what happens with the stormwater or CSO? Mr. Hornbrook explained that Clinton is a co-permittee for the treatment of a collection system. Mr. Mannering stated that, particularly in times like these, you have to inform the Representatives and Senators that this is a large sum of money for the town to be getting. Mr. Mannering stated that this subsidy for Clinton is unfair. He stated that he would like this item to be put on the agenda for the next meeting.

Mr. Barrera asked what was going on in discussions regarding the Water Infrastructure Finance Commission (WIFC) report. Mr. McCluskey stated that MWRA and AB staff have participated in the WIFC meetings and discussed what legislative actions will occur in the New Year. MWRA Senior Program Manager Marianne Connolly stated that a working group has been set within the commission itself to set the strategy going forward. Mr. Favaloro stated that he knows that it's on the Authority's list but we are all frustrated with the lack of funding for Debt Service Assistance (DSA). DSA was the fourth item on

the Governor's list for 9C cuts. Some of the items that are listed on the Advisory Board's legislative package for the new session include an Economic Development bill, the chemical reimbursement line-item and getting a piece of the online sales tax revenue now that it is moving forward in Massachusetts. The Advisory Board believes that this is something that WIFC should be on top of right now. AB staff is pushing to get a piece of these funds because it would be a source of new revenue. Yesterday, Amazon and the Commonwealth have come to accord on attaining the online sales tax revenue. Mr. Favaloro asked for the Board's support on these legislative items. Mr. Laskey stated that MWRA and AB staff will be going to the state house together in support of many legislative items, which include the chemical reimbursement line item, the bottle bill and debt service assistance. We are working together to get any support we can for the ratepayers. There was an amendment made to include support for the Advisory Board's Economic Development bill.

Mr. Laskey noted that there have been ongoing discussions with Mayor Sullivan of Braintree with regarding Tri-Town joining the MWRA system. One consistent issue has been the rate projections. Mr. Laskey stated the Mayor has been asking for specific numbers in relation to rates. The Board was provided with a graph that indicated the current projections and then some more reasonable projections in the out years if the headcount of employees stays low. Staff has presented this graph to Mayor Sullivan to show him where rates may end up in future years. Mr. Barrera stated that the MWRA has been lucky with rates remaining fairly low. What is staff assuming here? Ms. Madden stated that staff has revised its assumptions. Mr. Laskey stated that we have been lucky but on the other hand, staff has been taking clear steps to keep rates low by managing staffing and spending well. Mr. Carroll asked what MWRA staff plans to do with the information. Mr. Laskey stated that staff has been invited to speak to Tri-Town in January. Again, it is a break from our usual process but we are going to be showing them MWRA's rate projections. Tri-Town has an engineering firm that has provided them with projections so they are comparing those with MWRA's projections. MWRA is competitive and that is something that we will share with them.

Mr. Carroll asked what Tri-Town's cost estimates were? Mr. Laskey explained that they have not given staff their financial analysis; MWRA is showing its analysis and letting them know that we are competitive. Ms. Madden explained that staff is doing some comparative analysis. They are looking at the fact that they would have a capital expenditure and they would have to borrow for that. Ms. Madden stated that the main point in using the scenario in the chart was to address Tri-Town's concern with sticker shock. Staff has nothing to be imprudent about in this revised scenario. Ms. Madden explained that the graph indicated that rates will slowly escalate based on what trends have been in the past.

Approval of New Wastewater Advisory Committee Member

The Board voted to approve Craig A. Allen for membership to the Wastewater Advisory Committee.

PCR Amendments-December 2012

The Board voted to approve an amendment to the Position Control Register (PCR), as presented and filed with the records of the meeting.

Contract Awards

Waste Sludge Centrifuges Power and Control Systems Upgrade-Deer Island Treatment Plant: J.F. White Contracting Company, Contract 7057

The Board voted to approve the award of Contract No. 7057, Waste Sludge Centrifuges Power and Control Systems Upgrade, Deer Island Treatment Plant, to the lowest eligible and responsible bidder, J.F. White Contracting Company, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$3,932,000, for a term of 730 calendar days from the Notice to Proceed.

Director of Deer Island WWTP Daniel O'Brien stated that \$6.4 million is an estimate that was discussed with the engineer on this project. The engineers went back to the manufacturer to look at pricing with the main components being the listed price versus the discounted price that contractors receive. This resulted in a \$2.4 million reduction in the contract price. Mr. Pappastergion asked how this differs from the engineer's estimates. Mr. O'Brien explained that when the CIP was drafted for this project, there was only an estimate for the control part of the project. Mr. Pappastergion asked what will happen during the design phase if some of the costs increased. There were existing large motors that were fifteen and sixteen years old. It seems that technology has changed. Mr. O'Brien explained that a call was put into NSTAR for commercial rebates. Staff will not know what that is until the evaluation. Mr. Pappastergion asked Mr. Hornbrook if anyone is keeping an eye on the construction method. Mr. Hornbrook stated yes and that the construction method is mentioned in the CIP presentation. Staff had this on the list of projects. Staff discussed construction techniques and as these projects are developed, we will take a look to see if we need to add anything more than what we currently have planned. One of the problems is that the CIP is a very long process. Ms. Soni highlighted that the CIP handout identified awards that were significantly lower as you go through the process.

North Main Pump Station Variable Frequency Drives and Synchronous Motor Replacement-Deer Island Treatment Plant, ESDC and RE/I Services: Fay, Spofford & Thorndike, LLC, Contract 7062

The Board voted to approve the recommendation of the Consultant Selection Committee to select Fay, Spofford & Thorndike, LLC (FS&T) to provide engineering services during construction and resident engineering/inspection services for the North Main Pump Station Variable Frequency Drives and Synchronous Motors Replacement construction project at the Deer Island Treatment Plant, and authorize the Executive Director, on behalf of the Authority, to execute Contract 7062 with Fay, Spofford & Thorndike, LLC in the amount of \$1,321,624 for a term of 42 months from the Notice to Proceed.

Board member Joseph Foti asked about the difference in the proposal with FS&T that had listed about 2,000 hours for their work while ARCADIS U.S, Inc. proposed 2,500 hours for the same work. MWRA staff explained that this gave them grave concern so they asked FS&T to explain how they reached the number of hours for their services. FS&T made some assumptions that reduced the amount of hours for the services. In addition, FS&T has explained to staff that the task and amount of hours were equal to the services at the price they had proposed unless the scope of work changed. FS&T agreed to give staff the assumptions they had put together for the job.

Quabbin Ultraviolet Disinfection Facilities: Daniel O’Connell’s Sons, Inc., Contract 6776

The Board voted to approve the award of Contract No. 6776, Quabbin Ultraviolet Disinfection Facilities, to the lowest responsible and eligible bidder, Daniel O’Connell’s Sons, Inc, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$5,476,000 for a term of 580 calendar days from the Notice to Proceed.

Contract Amendments/Change Orders

Phase 1A Electrical Upgrade Design-Oakdale Facility, ESDC and RE Services: Fay, Spofford & Thorndike, LLC, Contract 7229, Amendment 1

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to extend the term of Contract No. 7229, with Fay, Spofford & Thorndike, LLC Phase 1A Electrical Upgrade, Oakdale Facility, by eighteen months to July 20, 2014, with no increase in contract amount.

Information

Delegated Authority Report-November 2012

Mr. Laskey asked staff to discuss the policy on vehicles. Deputy Director of Administration and Finance Michele Gillen stated that staff recommends vehicles to be replaced and recycled in order to trade down. Mr. Hornbrook explained that as staff gets rid of vehicles, they are replaced and not added to the fleet. Mr. Foti asked how staff determines if they purchase a Ford or Chevi for a vehicle. Mr. Hornbrook stated that there is standardization on vehicles; a lot of them have certification from General Motors. However, staff also buys Fords as well. Ms. Gillen stated that it is not always an exact replacement. Mr. Hornbrook explained that there can be a request put in to downsize a vehicle or get a vehicle that handles more miles per gallon. The size depends on the need and use. Mr. Pappastergion stated that he assumed these vehicles were budgeted for this fiscal year. He asked if a vehicle replacement policy existed. Ms. Gillen stated that there was such a policy in place. Mr. Hornbrook stated that staff knows exactly what vehicles are going to be replaced by the life cycle. Ms. Madden stated that we get a lot more miles than what is required.

State Ethics Commission On-Line Training Programs

MWRA General Counsel Steven Remsberg stated that he forwarded the link regarding the online training program to all Board members yesterday. It may take an hour or so to go through it. The link that was sent is different than the summary of the conflict of interest law that was circulated before. The deadline is April 5, 2013. If you are a municipal employee, there is also another level of testing that needs to be taken. They are not the same because the content is very different. The completion certificate will be generated once you have completed the test online and that needs to be printed out and kept for public record for six years.

Mr. Pappastergion asked if this test was similar to one that the Board took a few years ago. Mr. Remsberg stated yes but there was some difficulty with software so a year was skipped and needs to be retaken.

FY13 Financial Update and Summary as of October 2012

Ms. Madden gave an overview of what was listed in the staff summary. Ms. Madden highlighted that on the capital side, there has been overspending; however, this is driven by community assistance programs

that will eventually level out. MWRA is averaging 18 positions below headcount and lower fringe benefits. Mr. Laskey stated that attrition continues with retirement; staff actually had a retirement seminar to inform employees of different things employees need to think about. The good thing is that on Monday seven new employees are coming for orientation.

Mr. Barrera asked for an explanation on Option D. MWRA Treasurer Tom Durkin stated there are four options and Option D is an important benefit. Mr. Mannering stated that Option D states that if you are married and die while in active service then your spouse automatically receives the full pension benefit. However, if you retire then that option is no longer valid. There are a good number of employees that are entitled to this option but not aware of it.

Mr. Durkin explained that when you go through the MWRA training, most employees are a lot younger and don't think about the long-term benefit but are more concerned with the short-term benefit. However, this benefit is lucrative so it's something employees should be aware of.

Ms. Madden noted the loss of debt service assistance (DSA) per the Governor's recent 9C budget cuts. Staff was anticipating \$350,000. You will notice a slight overage when looking at the chart in the staff summary. Next month, it will be back on target.

Aquatic Invasive Species Control in Wachusett Reservoir

There was a presentation made by Director of Western Operations David Coppes and Reservoir Operations Program Manager John Gregoire.

Board member Brian Swett asked why four contractors cannot commit to doing the work on this project. Mr. Coppes explained that the amount of access to this body of water is limited. If we go down this route, it's going to be done in phases or all in one year so we will need to take care of these plants before they grow back again within a year. There is a method being proposed to screen out all the material but there are also a lot of challenges going forward as well. There are access limitations.

Mr. Barrera asked if this reservoir was not drinking water, would chemicals be used. Mr. Coppes stated that there is a chemical option and chemicals were considered because of water quality concern. Staff discounted that this was not an option.

Mr. Carroll asked if the old standby copper sulfate would be an option. Mr. Gregoire stated this is not an option.

Mr. Laskey stated that staff is trying to bring in contractors to maintain this. Mr. Coppes mentioned that there are contractors that have the means to bring in heavy equipment. Contractors could start work upstream and then move downstream but if you put floaters out there and the wind is blowing the other way, it doesn't make sense. This aquatic invasive species grows in twelve or thirteen feet of water. Mr. Laskey stated that it may be a multiple set of figures to get this all under control. It's pretty devastating.

Mr. Carroll asked if this plant dies when you remove it from the reservoir. Mr. Coppes stated that you let it compost and dry up once it is out of the water, it will die, it needs water to live. Chairman Sullivan asked about the results DCR has been seeing over the years and if the species grew back. Mr. Coppes stated that it does grow back. DCR has limits with equipment. Chairman Sullivan stated that it's a small area and one person trying to dive and take care of this is a challenge. Mr. Sullivan stated that he and DCR's Lake and Ponds Project Manager Tom Flannery had discussed this at one point. Mr. Hornbrook stated that staff may need to find more contractors and divers to take care of this. Mr. Laskey stated that there does seem to

be a consensus to do heavy duty dredging but there are issues such as water quality, what grows back, etc. The milfoil can grow back. Mr. Coppes stated that he agrees that this doesn't sound great but we have to do something. He wants to start advancing the idea of dredging to develop the concept. Mr. Barrera stated that in your ideal world, dredging is expensive? Dredging eliminated the depth of the sediment. That is what we are trying to eliminate. Mr. Coppes stated that we need to pick up where we left off. Mr. Hornbrook stated that staff needs to do a lot of treatment. Mr. Barrera asked what would happen if we did not do anything for five years? Mr. Hornbrook stated that there would be infestation in the main body of water, which would get worse and worse. Mr. Coppes stated that we will spend more and more each year on this. Mr. Carroll asked where these plants come from? Mr. Gregoire stated that it was brought here as an aquarium plant. It's a problem in Europe as well.

If you are interested in viewing the full presentation made at the Board of Directors meeting, please click [here](#).