

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

June 19, 2019

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on Wednesday, June 19, 2019 at the Authority headquarters in Charlestown. Vice Chair Carroll presided. Present from the Board were Ms. Wolowicz and Messrs. Cotter, Flanagan, Foti, Pappastergion, Vitale and Walsh. Secretary Theoharides and Messrs. Cook and Peña were absent. Among those present from the Authority staff were Frederick Laskey, Executive Director, Carolyn Francisco Murphy, General Counsel, David Coppes, Chief Operating Officer, Carolyn Fiore, Deputy Chief Operating Officer, Thomas Durkin, Director of Finance, Michele Gillen, Director of Administration, and Assistant Secretaries Ria Convery and Kristin MacDougall. The meeting was called to order at 1:18 p.m.

APPROVAL OF MAY 29, 2019 MINUTES

Upon a motion duly made and seconded, it was

Voted: to approve the minutes of the Board of Directors' meeting of May 29, 2019 as presented and filed with the records of the meeting.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey updated the Board on CSO post-construction assessment with respect to the court report filings and coordination of next steps with DEP and EPA. He also reported that the EPA gave the Charles River a grade of B this year, down from an A- last year, due to more rainfall.

He also noted that MWRA staff met with the Lynn Water and Sewer Department to review alternatives to a new sewer treatment plant and outfall. He also reported that MWRA staff met with representatives of Suffolk Downs and the Cities of Boston and Revere to discuss water and sewer infrastructure needs for a planned new development. Finally, he noted that the implementation of the Paid Family Medical Leave Act has been delayed by three months.

APPROVALS

FY20 Capital Improvement Program (ref. AF&A B.1)

Upon a motion duly made and seconded, it was

Voted: to approve the FY20 Capital Improvement Program with a total budget of \$199.5 million for FY20 including \$164.1 million in project spending and \$35.4 million in community assistance.

Final FY20 Current Expense Budget (ref. AF&A B.2)

Upon a motion duly made and seconded, it was

Voted: to adopt the final FY20 Current Expense Budget (CEB) set forth in Attachments A, B and C as presented with current revenue and expense of \$792,248,420, Further, it was voted: to adopt the Final FY20 Operating Budget (Trustee's Budget) set forth in Attachment D as presented.

Final FY20 Water and Sewer Assessments (ref. AF&A B.3)

Upon a motion duly made and seconded, it was

Voted: to adopt the following effective July 1, 2019:

(1) Water system assessments of \$258,751,692 and sewer system assessments of \$503,015,308 for FY20; (2) FY20 sewer assessments of \$500,000 for the Town of Clinton and \$375,767 for the Lancaster Sewer District; (3) FY20 charge to the City of Worcester of \$208,773 representing approximately 7.9% of the direct operating expenses for the Clinton Wastewater Treatment Plant; (4) FY20 water assessments of \$3,604,721 for the City of Chicopee, \$723,584 for South Hadley Fire District # 1, and \$817,806 for the Town of Wilbraham; (5) a wholesale water rate of \$4,021.42 per million gallons; and (6) a retail sewer rate of \$7,859.49 per million gallons.

Increase to Cost of Living Adjustment Base for Retirees (ref. AF&A B.4)

Upon a motion duly made and seconded, it was

Voted: Pursuant to Section 19 of Chapter 188 of the Acts of 2010, to approve the MWRA Employees' Retirement Board's vote of June 4, 2019 to accept an increase in the maximum base amount on which the retiree cost-of-living adjustment is

calculated from \$13,000 to \$14,000 effective July 1, 2019 and to \$15,000 effective July 1, 2020.

Delegation of Authority to Execute Contracts for the Purchase and Supply of Electric Power for the MWRA Profile Accounts (ref. AF&A B.5)

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to execute contracts for the supply of electric power to the Profile Accounts with the lowest responsive and responsible bidder, for the period and pricing structure selected, as determined by staff to be in MWRA's best interest, and for a contract supply term not to exceed 37 months. This delegation of authority is necessary because MWRA will be required to notify the selected bidders within a few hours of bid submittal to lock-in the bid prices in a constantly changing market.

Sole Source Purchase of 182 Telog Dataloggers for the Wastewater Metering Replacement Project: Telog Instruments, Inc. (ref. WW B.1)

Upon a motion duly made and seconded, it was

Voted: to approve the award of a sole source purchase order for 182 Telog RU-35 dataloggers with preinstalled 4G LTE compatible wireless modems, 4G antennas and interface cables to Telog Instruments, Inc. and authorize the Executive Director to execute said purchase order in the amount of \$484,848.

FY2020 Non-Union Compensation (ref. P&C A.1)

Upon a motion duly made and seconded, it was

Voted: that the Board of Directors take the following actions for MWRA's FY20 non-union compensation review:

(A) Authorize the Executive Director to implement a 3% across-the-board compensation adjustment for non-union managers effective with the first FY20 payroll; and (B) Approve a revision to the non-union salary ranges for FY20 presented in Attachment A and filed with the records of the meeting.

Appointment of Budget Director, Finance Division (ref. P&C A.2)

Upon a motion duly made and seconded, it was

Voted: to approve the appointment of Mr. Michael J. Cole, Jr. to the position of Budget Director, Finance Division (Non-Union, Grade 16) at an annual salary of \$135,000 commencing on a date to be determined by the Executive Director.

Appointment of Program Manager, Energy Management, Deer Island (ref. P&C A.3)

Upon a motion duly made and seconded, it was

Voted: to approve the appointment of Mr. Robert Huang to the position of Program Manager, Energy Management (Unit 9, Grade 29), at an annual salary of \$128,958.93, commencing on a date to be determined by the Executive Director.

Extension of Employment Contract for Copy and Supply Clerk, Administration Division (ref. P&C A.4)

Upon a motion duly made and seconded, it was

Voted: to approve the extension of an employment contract for Mr. Ward Merithew, Copy and Supply Clerk, Facilities Management Department, for a period of one year from July 1, 2019 to June 30, 2020, at the current hourly rate of \$15.76 per hour for an annual compensation not to exceed \$12,292.80.

CONTRACT AWARDS

Chemical Tank Relining and Pipe Replacement - Deer Island Treatment Plant: Walsh Construction Co. II, LLC, Contract 7373 (ref. VVW C.1)

Upon a motion duly made and seconded, it was

Voted: to approve the award of Contract 7373, Chemical Tank Relining and Pipe Replacement, Deer Island Treatment Plant, to the lowest eligible and responsible bidder, Walsh Construction Company II, LLC and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$8,504,505, for a contract term of 850 calendar days from the Notice to Proceed.

Sole Source Purchase Order for Three Years of Maintenance and Support of the Process Instrumentation and Control System Human-Machine Interface Software at the

Deer Island Treatment Plant: Emerson Process Management Power and Water Solutions, Inc. (ref. WW C.2)

Upon a motion duly made and seconded, it was

Voted: to approve the award of a sole source purchase order contract for maintenance and support of the Process Instrumentation and Control System Human-Machine Interface Software at the Deer Island Treatment Plant, to Emerson Process Management Power & Water Solutions, Inc., and to authorize the Executive Director to execute said purchase order contract in an amount of \$206,405.00, for a period of three years, from August 1, 2019 through July 31, 2022.

Section 22 Rehabilitation Alternative Analysis and Environmental Permitting: Black & Veatch Corporation, Contract 7155 (ref. W A.1)

Item postponed.

CONTRACT AMENDMENTS/CHANGE ORDERS

Chelsea Creek Headworks Upgrade, BHD/BEC 2015, A Joint Venture: Contract 7161, C.O. 29 (ref. WW D.1)

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 29 to Contract 7161, Chelsea Creek Headworks Upgrade, with BHD/BEC 2015, A Joint Venture, for an amount not to exceed \$400,000.00, increasing the contract amount from \$80,985,612.46 to \$81,385,612.46, with no increase in contract term.

Further, it was voted: to authorize the Executive Director to approve additional change orders as may be needed to Contract 7161 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

OTHER BUSINESS

Review of Salary for Chief Operating Officer, Chief Financial Officer and General Counsel

Upon a motion duly made and seconded, it was

Voted: to increase the current salary of David W. Coppes, Chief Operating Officer, Thomas Durkin, Director of Finance and Carolyn Francisco Murphy, General Counsel, by 3%, effective the first FY20 payroll.

Review and Extension of Contract and Appointment for Executive Director

Voted: (A) to rate the performance of Frederick A. Laskey, Executive Director, for Fiscal Year 2019 as excellent; (B) to extend the term of the Executive Director's employment agreement and his appointment as the Executive Director by one year through June 30, 2022; and (C) to increase his current salary by 3% with an additional salary adjustment of \$7,678.89, effective July 1, 2019.

CORRESPONDENCE TO THE BOARD

Letter From Massport Regarding Easement for New HEEC Cable

(Mr. Foti recused himself and temporarily left the meeting.) There was brief discussion and the item was tabled for further discussion at a future meeting.

EXECUTIVE SESSION

It was moved to enter executive session to discuss litigation and thereafter to return to open session solely for the purpose of adjournment. (Mr. Foti returned to the meeting). Upon a motion duly made and seconded, a roll call vote was taken in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Carroll		
Cotter		
Foti		
Flanagan		
Pappastergion		
Vitale		
Walsh		
Wolowicz		

Voted: to enter executive session for the purpose of discussing strategy with respect to litigation in that such discussions may have a detrimental effect upon the litigation and negotiating positions of the Authority.

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EXECUTIVE SESSION

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The meeting returned to open session and adjourned at 2:07 p.m.

Approved: July 17, 2019

Attest:


Andrew M. Pappastergion, Secretary