

**MASSACHUSETTS WATER RESOURCES AUTHORITY**

Meeting of the Board of Directors

June 26, 2024

---

A meeting of the Massachusetts Water Resources Authority (“MWRA”) Board of Directors was held on June 26, 2024 at MWRA Headquarters at Deer Island, Boston, and via remote participation.

Chair Tepper presided from MWRA Headquarters. Board Members Pappastergion, Peña, Taverna, and White-Hammond also participated at MWRA Headquarters. Board Members Foti and Vitale participated remotely. Board Members Flanagan, Jack Walsh, Patrick Walsh and Wolowicz were absent.

MWRA Executive Director Frederick Laskey; General Counsel Carolyn Francisco Murphy; Chief Operating Officer David Coppes; Deputy Chief Operating Officer Rebecca Weidman; Director of Finance Thomas Durkin; Special Assistant for Affirmative Action Patterson Riley; MIS Director Paula Weadick; TRAC Director Matthew Dam; Senior Program Manager, Reservoir Operations John Gregoire; Senior Program Manager, Community Support Kristen Hall; Asset Management Analyst Michael Curtis; Chief of Staff Katie Ronan; Associate General Counsel Angela Atchue; Legal Intern Bradley Marcosa; and, Assistant Secretary Kristin MacDougall attended at MWRA Headquarters.

Matt Romero, MWRA Advisory Board (“Advisory Board”), also participated at MWRA Headquarters.

Chair Tepper called the meeting to order at 1:02pm.

**ROLL CALL**

MWRA General Counsel Francisco Murphy took roll call of Board Members in attendance and announced that Board Members Foti and Vitale were participating remotely. The Chair announced that the meeting was being held at MWRA Headquarters and virtually. She added that the meeting would be recorded, and that the agenda and meeting materials were available on MWRA’s website.

**APPROVAL OF MAY 22, 2024 MINUTES**

**A motion was duly made and seconded to approve the minutes of the Board of Directors’ meeting of May 22, 2024.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Pappastergion		
Peña		
Taverna		
Vitale		

White-Hammond

(ref. I)

#### REPORT OF THE CHAIR

Secretary Tepper thanked Rev. White-Hammond, who is leaving the MWRA Board of Directors, for her ideas, thoughtful comments and meaningful contributions during her tenure as a Board Member. She invited meeting participants to offer remarks.

On behalf of the Board and MWRA staff, MWRA Executive Director Fred Laskey presented Rev. White-Hammond with a commemorative award. He thanked her for her enthusiasm, intelligence, tenacity, and professionalism. MWRA Advisory Board Executive Director Matt Romero also presented Rev. White-Hammond with a small gift to commemorate her participation in Board discussions.

Rev. White-Hammond thanked Board Members and MWRA and Advisory Board staff. She said that she will remain a strong supporter of MWRA and an advocate for its drinking water, and that she will keep in touch. (ref. II)

#### REPORT OF THE EXECUTIVE DIRECTOR

MWRA Executive Director Fred Laskey reported that the Quabbin Reservoir was no longer spilling for the first time since January 2024. He noted that the Quabbin had spilled approximately 30 million gallons total (180 gallons per day) in a six-month period.

Mr. Laskey then discussed an upcoming Deer Island walk and luncheon in celebration of Pride, Caribbean Heritage Month, and Juneteenth. He invited Board Members to participate in this annual event, organized as part of MWRA's Diversity, Equity and Inclusion (DEI) efforts. There was brief, general discussion about the event.

Finally, Mr. Laskey congratulated Patterson Riley, MWRA Special Assistant for Affirmative Action, on his upcoming retirement. He presented Mr. Riley with a commemorative award, and thanked him for his hard work, sound advice, and for spearheading many important MWRA initiatives, including the DEI program.

Mr. Riley thanked the Board of Directors, Mr. Laskey and Advisory Board for their years of support and assistance. (ref. III)

EXECUTIVE SESSION

Chair Tepper requested that the Board move into Executive Session to discuss Real Estate, since discussing such in Open Session could have a detrimental effect on the negotiating position of the Authority. She announced that the planned topic for Executive Session was a watershed land acquisition, and that the Board would return to Open Session after the conclusion of Executive Session.

**A motion was duly made and seconded to enter Executive Session for these purposes, and to resume Open Session after Executive Session adjournment.**

General Counsel Francisco Murphy reminded Board members that under the Open Meeting Law members who were participating remotely in Executive Session must state that no other person is present or able to hear the discussion at their remote location. A response of “yes” to the Roll Call to enter Executive Session when their name was called would also be deemed their statement that no other person was present or able to hear the Executive Session discussion.

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>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

**Voted: to enter Executive Session, and to resume Open Session after Executive Session adjournment.**

\*\*\* EXECUTIVE SESSION \*\*\*

The meeting entered Executive Session at 1:10pm and adjourned at 1:16pm.

\*\*\* CONTINUATION OF OPEN SESSION \*\*\*

PRESENTATIONS AND SUMMARIESApproval of Amendments to MWRA regulations for Sewer Use (360 CMR 10.000)

Matthew Dam, MWRA Toxic Reduction and Control “TRAC” Director, presented an overview of proposed amendments to MWRA’s regulations for Sewer Use (360 CMR 10.00). He discussed staff’s suggestions, the incorporation of requirements and recommendations from a 2021 EPA

audit; 3% increases to implementation charges and annual charges paid by permit holders each fiscal year from FY2025-FY2029; and, text changes to correct minor typos and unclear language.

Mr. Dam discussed MWRA's successful completion of all statutory requirements for public notification, hearing and comment. He reported that no comments were received during the official public comment period; however, one e-mail comment questioning the need for MWRA's proposed sewer discharging and monitoring fee increases was received from a permittee on April 11, 2024, after the public comment period ended. Mr. Dam explained that those fees directly offset the costs to run MWRA's Industrial Pretreatment Program, including drafting and issuing permits; reviewing compliance data and reports; performing facility inspections; monitoring industrial sewer discharges; and administration. He added that the proposed fee increases were in line with a typical inflation factor, and would be applied to TRAC's annual budget, as well as to recoup a portion of annual operating costs. He noted that MWRA had recovered approximately 57% of the Industrial Pretreatment Program's actual Capital Improvement Program budget (CIP) through fees in FY2023.

Mr. Dam then summarized the next steps for the proposed amendments. He explained that staff are not recommending any additional changes to the draft regulations that were issued for public comment prior to promulgation, and that upon Board approval, staff will transmit the adopted amendments to the Massachusetts Secretary of State for publication in the Massachusetts Register and adoption into the Code of Massachusetts Regulations in July 2024. He added that this schedule would allow sufficient time for updating the monitoring and permitting fees before the FY2025 annual TRAC permittee billing cycle. Finally, Mr. Dam presented photos of TRAC staff performing monitoring, inspection and laboratory work.

Board Member Taverna requested clarification on the proposed fee increase schedule. Mr. Dam explained that the increases would take effect on a per-year basis. He noted that a hard copy of all proposed changes was available for Board Member review.

Hearing no further discussion or questions from the Board, Chair Tepper moved to the next presentation. (ref V.1)

#### Informational Update on Quinapoxet Dam Removal

John Gregoire, MWRA Senior Program Manager, Reservoir Operations, presented an update on the Quinapoxet Dam Removal Project. He described the dam's location and original function, and presented a brief, historical overview of its design and construction (circa 1905).

Next, Mr. Gregoire presented the rationale for removing the dam. He explained that it no longer serves its original purpose due to advances in reservoir operations, monitoring and water treatment, and that the assessed cost to make necessary repairs and perform required studies is not justifiable because the dam is obsolete.

Mr. Gregoire then discussed some of the project's environmental factors. He noted that the Department of Ecological Restoration had determined that the Quinapoxet River at the dam's location had high potential for restoration. He explained that removing the dam would provide ecological benefits, and allow salmon, which are currently landlocked, to migrate upstream. In addition, he emphasized that returning the Quinapoxet's natural riverine hydrology is critical to meeting climate resiliency challenges. Further, he cited the Rapidan Dam in Minnesota, which is currently facing the threat of collapse, as an example of the importance of the Quinapoxet Dam's removal.

Finally, Mr. Gregoire presented photos of a groundbreaking ceremony for the Quinapoxet Dam Removal project, noting that Commissioner Brian Arrigo of the Department of Conservation and Recreation, Commissioner Tom O'Shea of the Department of Fish and Game, and Beth Lambert, Director of the Department of Ecological Restoration were among those in attendance.

Chair Tepper thanked staff for their work on the dam removal, and praised MWRA for its ongoing commitment to ecological restoration. Mr. Laskey thanked Mr. Gregoire for his contributions to the project. (ref V.2)

#### Approval of Revisions to the Lead Service Line Replacement Program Guidelines

Kristen Hall, MWRA Senior Program Manager, Community Support, presented an overview of proposed revisions to MWRA's Lead Service Line Replacement ("LSLR") Program Guidelines. She described the Program's goals, including the promotion of public health by facilitating the removal of all lead service lines in MWRA water service communities. She noted that lead service lines are the largest contributors to lead levels in drinking water.

Ms. Hall then explained that the proposed LSLR Program revisions are intended to accelerate the rate of lead service line replacement within the MWRA service area, in anticipation of expected Lead and Copper Rule changes. She noted that MWRA water communities have reported that homeowners' reluctance to pay for the replacement of the privately-owned portions ("private-side") of lead service lines is a major obstacle to the Program's success. She briefly reviewed the Board's May, 2024 approval of \$100 million in additional funding for the LSLR Program, and its authorization to include a 25% grant to address these community concerns.

Next, Ms. Hall described staff's work to incorporate the grant and the conditions for utilization into the proposed LSLR Guidelines revisions, with input from the MWRA Advisory Board. She presented an illustration depicting the private and public sides of a typical lead service line.

Ms. Hall then presented highlights of the proposed LSLR Guidelines revisions, including updated language, and a requirement that a community must commit to fully funding the replacement of the private-side portions of lead service lines at no cost to the property owners in order to be eligible for a grant. She explained that retroactive funding will not be eligible for the grant

because its intent is to accelerate lead service line replacement; however, communities may apply for retroactive funding through interest-free loans only. She noted that while interest-free loans will continue to be available for communities that do not commit to private-side line replacement, MWRA staff will continue to strongly encourage full replacement.

She then explained that if approved, the revised LSLR guidelines will go into effect on July 1, 2024, with a potential first round of distributions in August. She noted MWRA staff have received positive feedback and inquiries about the grant from communities.

Finally, Ms. Hall discussed the next steps for the LSLR Program, including regular progress updates for the Board, and continued efforts to meet the goal of replacing all lead service lines in the MWRA service area by 2032, in order to eliminate this source of lead exposure and avoid changes to MWRA's water treatment. She noted that MWRA communities will submit lead inventories by October, 2024, and that Finance staff are investigating additional funding sources, including Massachusetts Clean Water Trust SRF funds.

Hearing no discussion or questions from the Board, Chair Tepper moved to Board Actions. (ref V.3)

## BOARD ACTIONS

### APPROVALS

#### Approval of the FY25 Final Capital Improvement Program

**A motion was duly made and seconded to approve the FY25 Final Capital Improvement Program (CIP) with planned spending of \$347.9 million, including \$252.4 million in project spending and \$95.5 million in community assistance loan programs.**

Chair Tepper asked if there was any discussion or questions from the Board.

Vice Chair Pappastergion noted that the FY2025 Final CIP was discussed during the morning Administration, Finance and Audit Committee meeting (ref. AF&A B.1), and that a consensus had supported the proposal.

Hearing no further discussion or questions from the Board, Chair Tepper requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.1)

Approval of the Final FY25 Current Expense Budget

**A motion was duly made and seconded to adopt the Final FY25 Current Expense Budget (CEB) set forth in Attachment A of the June 26, 2024 Staff Summary presented and filed with the records of the meeting with current revenue and expense of \$900,622,003.**

**Further, a motion was duly made and seconded to adopt the Final FY25 Operating Budget (Trustee's Budget), set forth in Attachment B of the June 26, 2024 Staff Summary presented and filed with the records of this meeting.**

Vice Chair Pappastergion noted that the proposed Final FY25 Current Expense Budget (CEB) was discussed during the morning's Administration, Finance and Audit Committee meeting (ref. AF&A B.2), and that the proposed budget was in line with most of the MWRA Advisory Board's recommendations. Chair Tepper asked if there were any notable discrepancies between MWRA's proposed final CEB and the Advisory Board's recommendations. Mr. Pappastergion responded that there were not. There was brief, general discussion about the proposed CEB.

Chair Tepper asked if there was any further discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.2)

A.3. Final FY2025 Water and Sewer Assessments

**A motion was duly made and seconded to adopt the following effective July 1, 2024:**

- 1) water system assessments of \$311,379,328 and sewer system assessments of \$544,108,672 for FY25;**
- 2) FY25 sewer assessments of \$500,000 for the Town of Clinton and \$501,935 for the Lancaster Sewer District;**
- 3) FY25 charge to the City of Worcester of \$233,026 representing approximately 7.9% of the direct operating expenses for the Clinton Wastewater Treatment Plant;**
- 4) FY25 water assessments of \$4,088,633 for the City of Chicopee, \$755,970 for South Hadley Fire District #1, and \$857,930 for the Town of Wilbraham;**

- 5) a wholesale water rate of \$4,991.08 per million gallons; and,  
 6) a retail sewer rate of \$8,310.71 per million gallons, all as further detailed in the June 26, 2024 Staff Summary presented and filed with the records of the meeting.

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.3)

#### Defeasance of Future Debt Service

**A motion was duly made and seconded to authorize the Executive Director or his designee, on behalf of the Authority, to enter into, execute and deliver all necessary agreements and other instruments and to take such other actions necessary to effectuate the redemption and defeasance of an aggregate principal amount of \$22,665,000 of outstanding MWRA senior bonds including to cause the escrow of cash and/or securities in an amount necessary to fund such redemption and defeasance, in order to reduce the debt service requirement by \$27,360,750 in the FY25 through FY30 timeframe.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.4)

#### Surplus of a Portion of the Abandoned Mystic Water Main Water Easement

**A motion was duly made and seconded to declare as surplus to the Authority's water system**



**construction, maintenance, or operation needs and purposes a certain portion of an existing Commonwealth of Massachusetts water easement under the care, custody and control of the Authority located on a parcel of land with an address of 58 Main Street, Somerville, as shown on Attachment A of the June 26, 2024 Staff Summary presented and filed with the records of this meeting, and to return it to the control of the Massachusetts Division of Capital Asset Management and Maintenance (“DCAMM”) in accordance with Section 9(c) of Chapter 372 of the Acts of 1984, as amended (“Enabling Act”).**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.5)

Amendments to MWRA regulations for Sewer Use (360 CMR 10.000)

**A motion was duly made and seconded to authorize the adoption of amendments to MWRA’s Regulations for Sewer Use (360 CMR 10.000), as summarized in the June 26, 2024 Staff Summary presented and filed with the records of this meeting, by publication in the Code of Massachusetts Regulations.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.6)

Annual Renewal of Wastewater Advisory Committee (WAC) Contract

**A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to execute a contract with the Wastewater Advisory Committee for a term of one year, from July 1, 2024 to June 30, 2025, for a total contract cost of \$87,374, substantially in the form attached to in the June 26, 2024 Staff Summary presented and filed with the records of this meeting.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
		Taverna
Vitale		
White-Hammond		

(ref. VI A.7)

Approval of Revisions to the Lead Service Line Replacement Program Guidelines

**A motion was duly made and seconded to approve the revised guidelines for the Lead Service Line Replacement Program as outlined in the June 26, 2024 Staff Summary presented and filed with the records of this meeting.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.8)

Annual Renewal of Water Supply Citizens Committee (WSCAC) Contract

**A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to execute a contract with the Water Supply Citizens Advisory Committee for a**

**one-year period beginning July 1, 2024 to June 30, 2025, with a total contract cost of \$125,043, substantially in the form attached to the June 26, 2024 Staff Summary presented and filed with the records of this meeting.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.9)

#### June 2024 PCR Amendments

**A motion was duly made and seconded to approve amendments to the Position Control Register (PCR) as presented and filed with the records of this meeting.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI A.10)

#### Extension of Employment Contract of the Director of the Tunnel Redundancy Program

**A motion was duly made and seconded to adopt the Executive Director's performance rating of Excellent for Kathleen M. Murtagh, Director of the Tunnel Redundancy Program, for FY24 and extend the term of her employment agreement to June 3, 2027.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

Yes                      No                      Abstain

Tepper

Foti

Pappastergion

Peña

Taverna

Vitale

White-Hammond

(ref. VI A.11)

#### CONTRACT AWARDS

West Roxbury Tunnel Inspection: Black Dog Divers, Inc., Contract 6898

**A motion was duly made and seconded to approve the award of Contract 6898, West Roxbury Tunnel Inspection, Sections 637 & 637A, to the lowest responsive bidder, Black Dog Divers, Inc. and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$1,656,930 for a contract term of 365 calendar days from the Notice to Proceed.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

Yes                      No                      Abstain

Tepper

Foti

Pappastergion

Peña

Taverna

Vitale

White-Hammond

(ref. VI B.1)

#### CONTRACT AMENDMENTS/CHANGE ORDERS

Maximo Lawson Interface Enhancements: Starboard Consulting, LLC, Contract 7649, Amendment #4

**A motion was duly made and seconded that the Executive Director, on behalf of the Authority, approve Amendment 4 to Contract 7649, Maximo Lawson Interface Enhancements, with Starboard Consulting, LLC, to extend the contract term by three months from June 26, 2024 to September 26, 2024 at no additional cost to the Authority.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she

requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI C.1)

Agency-Wide Technical Assistance Consulting Services: Hazen and Sawyer, P.C., Contract 7990, Amendment 1

**A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to Contract 7990, Agency-Wide Technical Assistance Consulting Services, with Hazen and Sawyer, P.C., increasing the contract amount by \$1,500,000, from \$3,000,000 to \$4,500,000, and extending the contract term by twelve months from January 9, 2025 to January 9, 2026.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI C.2)

Agency-Wide Technical Assistance Consulting Services: Kleinfelder Northeast, Inc., Contract 7991, Amendment 1

**A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to Contract 7991, Agency-Wide Technical Assistance Consulting Services, with Kleinfelder Northeast, Inc., increasing the contract amount by \$1,500,000, from \$3,000,000 to \$4,500,000, and extending the contract term by twelve months from December 21, 2024 to December 21, 2025.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI C.3)

Nut Island Headworks Odor Control and HVAC Improvements: Walsh Construction Co. II, LLC, Contract 7548, Change Order 18

**A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 18 to Contract 7548, Nut Island Headworks Odor Control and HVAC Improvements, with Walsh Construction Company II, LLC for a not-to-exceed amount of \$236,982.08, increasing the contract amount from \$61,433,487.56 to \$61,670,469.64 with no increase in contract term.**

**Further, a motion was duly made and seconded to authorize the Executive Director to approve additional change orders as may be needed to Contract 7548 in an amount not to exceed the aggregate of \$200,000, in accordance with the Management Policies and Procedures of the Board of Directors.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI C.4)

Dam Safety Compliance and Consulting, GZA GeoEnvironmental, Contract 7614, Amendment 3

**A motion was duly made and seconded to authorize the Executive Director, on behalf of the**

**Authority, to approve Amendment 3 to Contract 7614, Dam Safety Compliance and Consulting Services - Repairs, Design and Engineering Services During Construction, with GZA GeoEnvironmental, Inc. in the amount of \$101,769.97, increasing the contract amount from \$481,041.54 to \$582,811.51 and increasing the contract term by 15 months from July 21, 2024 to October 21, 2026.**

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. VI C.5)

#### OTHER BUSINESS (BOARD ACTION)

##### Review and Extension of Contract for MWRA's Executive Director

Chair Tepper announced that Board Members would conduct the review and extension for the contract for MWRA's Executive Director, Frederick A. Laskey. Mr. Laskey left the Board Room.

Personnel and Compensation Committee Vice-Chair White-Hammond briefed Chair Tepper on the conversation about Mr. Laskey's job performance during the morning's Annual Meeting of the Personnel and Compensation Committee Independent of Management (ref. P&C C.1). She explained that the Committee participants were unanimous on Mr. Laskey's FY2024 recommended performance rating of Excellent, and were in full agreement about Mr. Laskey's strong leadership and the culture of leadership that he fosters at MWRA.

Rev. White-Hammond further explained that Committee participants were also unanimous on the recommendation to extend Mr. Laskey's contract by one year, through June 30, 2029 (limit of a one-year extension because the total term allowed under the MWRA Enabling Act is five years), and that the Committee participants hope that Mr. Laskey will continue in his role as Executive Director for as long as he would like to and is able.

Finally, Rev. White-Hammond summarized the discussion during the Committee meeting about Mr. Laskey's proposed salary increase. She reported that a salary increase of 5%, effective July 1, 2024 was proposed and a vote was taken, in which the majority voted yes, with one abstention. Rev. White-Hammond explained that the question was not about the

percentage but mostly about timing - whether to do it now or wait, noting collective bargaining is not yet currently resolved. She complimented Mr. Laskey's job performance and noted his many responsibilities as the leader of a 24-7 organization that provides essential services.

Chair Tepper asked how the Committee came to a 5% increase. Rev. White-Hammond explained that there was clear agreement among the participants that there wasn't enough distance between Mr. Laskey's salary and those of his direct reports, which could potentially pose future challenges for the recruitment of his successor. She noted that the Committee's discussion on the percent increase focused primarily on the best course of action to bring Mr. Laskey's salary closer to parity with other executives in similar roles, and the timing of the salary increase proposal. Rev. White-Hammond also briefly described potential ways to achieve better parity for Mr. Laskey over time, including incremental increases.

There was also brief, general discussion about the Enabling Act's contract extension limits.

Board Member Foti echoed Rev. White-Hammond's remarks, and stressed that all Board Members present at the Committee meeting agreed on the excellence of Mr. Laskey's job performance, and on extending his contract for as long as possible. He then suggested the creation of a subcommittee to review the MWRA Executive Director's salary and contract with respect to parity, reiterating that Mr. Laskey's salary is behind his peers'.

Chair Tepper recommended that the MWRA Board undertake an independent, third-party study to evaluate the salaries of the MWRA Executive Director and other executives in comparable positions, similar to one recently conducted by the Massachusetts Clean Energy Center, where she serves as Board Chair.

Board Member Vitale stated that in his long-standing view, MWRA's constituents are extremely fortunate to have Mr. Laskey as the Executive Director. He discussed and praised Mr. Laskey's impressive, professional accomplishments and those of MWRA staff. Mr. Vitale noted that the Committee participants generally agreed that a 5% pay increase was advisable. He further complimented MWRA and its staff and expressed his appreciation for their work.

Mr. Pappastergion agreed with Mr. Vitale. He noted that the Committee participants recognize the disparity in Mr. Laskey's salary, and that a proposed 5% increase reflected the desire to compensate him as fairly as possible, and not create difficulties with the collective bargaining process. He also agreed with recommendations to form a subcommittee on MWRA's executive compensation for purposes of parity.

**A motion was duly made and seconded that the performance of Frederick A. Laskey, MWRA Executive Director, for Fiscal Year 2024 be rated as Excellent;**

**Further, a motion was duly made and seconded to extend the term of the Executive**



**Director's employment agreement and his appointment as the Executive Director by one year, through June 30, 2029; and**

**Further, a motion was duly made and seconded to increase the Executive Director's current salary by 5%, effective July 1, 2024.**

Chair Tepper asked if there was any further discussion or questions from the Board. Hearing none, she requested a roll call vote on the motion.

Rev. White-Hammond stated that she would abstain from the vote because she would prefer to vote on a motion for the Executive Director's salary increase after appointment of a parity study subcommittee and setting a deadline for the study's completion.

Hearing no further discussion or questions from the Board, Chair Tepper requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
		White-Hammond

There was brief discussion about the potential formation of an executive compensation subcommittee, or the launch of an independent study. Mr. Pappastergion recommended that this discussion be tabled for a future meeting with more Board Members present. Chair Tepper agreed.

The Board invited Mr. Laskey to rejoin the meeting.

When Mr. Laskey returned, Chair Tepper led a discussion about his performance review and contract extension, during which Mr. Pappastergion shared the Board's vote.

Mr. Laskey thanked Board Members and noted that his job performance is a reflection of MWRA staff's excellent work.

Chair Tepper praised Mr. Laskey for leading a well-run organization, and complimented MWRA staff. Mr. Pappastergion added that the Board recognizes that this vote took place amid ongoing collective bargaining negotiations, and that Mr. Laskey has the Board's full support.

Mr. Laskey thanked Board Members and reiterated that he is only as successful as MWRA staff and they are a great team and deserve high praise for their work. Further, he added that in his

view, staff also deserve fair compensation. Finally, Mr. Laskey noted that collective bargaining negotiations are a top priority, and that staff will provide a progress update at a future meeting. (ref. VII.1)

#### CORRESPONDENCE TO THE BOARD

There was no correspondence to the Board.

#### ADJOURNMENT

A motion was duly made and seconded to adjourn the meeting.

Hearing no discussion or questions from the Board, Chair Tepper requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
White-Hammond		

(ref. IX)

The meeting adjourned at 2:06pm.

Approved: July 24, 2024

Attest:

 for  
 Brian Peña, Secretary

#### LIST OF DOCUMENTS AND EXHIBITS USED

- Draft Minutes of the May 22, 2024 MWRA Board of Directors' Meeting (ref. I)
- June 26, 2024 Staff Summary and Presentation – Amendments to MWRA regulations for Sewer Use (360 CMR 10.000) (ref. V.1/VI A.6)
- June 26, 2024 Staff Summary and Presentation – Dam Safety Compliance and Consulting, GZA GeoEnvironmental, Contract 7614, Amendment 3 (ref. V.2/VI C.5)
- June 26, 2024 Staff Summary and Presentation – Approval of Revisions to the Lead Service Line Replacement Program Guidelines (ref. V.3/VI A.8)
- June 26, 2024 Staff Summary– Final FY2025 Capital Improvement Program (CIP) (ref AF&A B.1/VI A.1)

- June 26, 2024 Staff Summary – Final FY2025 Current Expense Budget (CEB) (AF&A B.2/VI A.2)
- June 26, 2024 Staff Summary – Final FY2025 Water and Sewer Assessments (AF&A B.3/VI A.3)
- June 26, 2024 Staff Summary – Defeasance of Future Debt Service (ref. AF&A B.4/VI A.4)
- June 26, 2024 Staff Summary and Presentation – Surplus Water Easement of the Abandoned Mystic Water Mains (AF&A B.5/VI A.5)
- June 26, 2024 Staff Summary – Annual Renewal of Wastewater Advisory Committee (WAC) Contract (WW A.1/VI A.7)
- June 26, 2024 Staff Summary and Presentation – Annual Renewal of Water Supply Citizens Committee (WSCAC) Contract (ref. W B.1/VI A.9)
- June 26, 2024 Staff Summary – June 2024 PCR Amendments (ref. P&C B.1/VI A.10)
- June 26, 2024 Staff Summary – Extension of Employment Contract for Kathleen Murtagh, Director of Tunnel Redundancy (ref. P&C B.2/VI A.11)
- June 26, 2024 Staff Summary and Presentation – West Roxbury Tunnel Inspection: Black Dog Divers, Inc., Contract 6898 (ref. WW B.1/VI B.1)
- June 26, 2024 Staff Summary – Maximo Lawson Interface Enhancements: Starboard Consulting, LLC, Contract 7649, Amendment #4 (ref. AF&A C.1/VI C.1)
- June 26, 2024 Staff Summary – Agency-Wide Technical Assistance Consulting Services: Hazen and Sawyer, P.C., Contract 7990, Amendment 1; Presentation – Agency Wide Technical Assistance Consulting Services (ref. WW C.1/VI C.2)
- June 26, 2024 Staff Summary – Agency-Wide Technical Assistance Consulting Services: Kleinfelder Northeast, Inc., Contract 7991, Amendment 1; Presentation – Agency Wide Technical Assistance Consulting Services (ref. WW.C.2/VI C.3)
- June 26, 2024 Staff Summary and Presentation – Nut Island Headworks Odor Control and HVAC Improvements: Walsh Construction Co. II, LLC, Contract 7548, Change Order 18 (ref. WW C.3/VI C.4)