

VOTE EXTRACTS
JUNE 25, 2008 BOARD OF DIRECTORS' MEETING
(Subject to final Board approval of meeting minutes)

I. APPROVAL OF MINUTES

Voted to approve the minutes of the Board of Directors' meeting of June 4, 2008, as presented and filed with the records of the meeting.

IV. BOARD ACTIONS

A. Approvals

1. Final FY09 Current Expense Budget (ref. A&F B.1)

Voted to: (1) adopt the FY09 Current Expense Budget set forth in Attachment A and Attachment B with current revenue and expenses of \$579.3 million, with the first proviso that of the \$9.5 million proposed in that budget for MWRA's FY09 OPEB liability, \$1.8 million be authorized as the "pay-as-you-go" component of that liability, and that, until a further vote of the Board to be taken not later than at its September 2008 meeting, the \$7.7M balance of that \$9.5M budget item be placed in a separate MWRA reserve account, pending a decision by the Board as to what purposes will be made of those funds, and with the second proviso that in the absence of a vote by the Board by its September 2008 meeting concerning what purpose(s) will be assigned to that \$7.7 million, \$2.9 million will be allocated for use toward the Authority's FY09 OPEB Normal Cost liability and \$4.8 million will be allocated to the MWRA pension trust as an additional payment in FY09 against the existing 17-year amortization schedule toward fully-funded status, with the appropriate portion of that amount first being deducted and dedicated to the Operating Reserve Account; (2) adopt the FY09 Operating Budget (Trustee's Budget) (Attachment C); and (3) approve the Responses to the Advisory Board's Comments and Recommendations on MWRA's Proposed Fiscal Year 2009 Current Expense Budget (Attachment D), all as presented and filed with the records of the meeting.

2. Final FY09 Water and Sewer Assessments (ref. A&F B.2)

Voted to adopt the following effective July 1, 2008: (1) Water system assessments of \$180,249,266 and sewer system assessments of \$360,569,734 for Fiscal Year 2009 allocated to communities in accordance with Attachment 1 (Final FY09 Water and Sewer Assessments) presented and filed with the records of the meeting; (2) FY09 sewer assessments of \$500,000 for the Town of Clinton and \$204,678 for the Lancaster Sewer District; (3) FY09 charge to the City of Worcester of \$124,618 which represents approximately 7.9% of the direct operating expenses for the Clinton Wastewater Treatment Plant; (4) FY09 water assessments of \$2,690,523 for the City of Chicopee, \$598,774 for South Hadley Fire District #1, and \$527,541 for the Town of Wilbraham; (5) A wholesale water rate of \$2,514.49 per million gallons; and (6) A retail sewer rate of \$5,800.63 per million gallons.

3. Final FY09 Capital Improvement Program (ref. A&F B.3)

Voted to: (1) approve the FY09 Capital Improvement Program, with a budget of \$245.6 million, including contingency as presented and filed as Attachment A; (2) approve a capital budget spending cap for the five-year period FY09 through FY13 such that total spending for the period shall not exceed \$1.14 billion; provided that annual spending for each fiscal year in that period shall be as set forth below; provided further that spending for any year in the period may vary within plus or minus 20% of the initial amount as long as total spending for the five years FY09-13 does not increase; and provided further that before the end of the five-year period the Board will adopt a new five-year cap for FY14 through FY18.

FY09	\$244.4 million
FY10	\$264.1 million
FY11	\$230.0 million
FY12	\$207.0 million
FY13	\$198.4 million

(In the event of unanticipated expenditures in excess of the spending cap, the Executive Director may recommend to the Board of Directors that annual expenditures exceed an annual cap by more than 20% or that five-year expenditures exceed the five-year CIP spending cap. In such an event, a proposed plan to adjust the five-year cap or any of the annual caps will be presented to the Board for approval. Any such proposed plan will be submitted to the MWRA Advisory Board for review and comment for a period of thirty days. At the end of the thirty-day period, the Board of Directors may take action on the proposed plan); and (3) to approve the Responses to the Advisory Board's Comments and Recommendations on MWRA's Proposed Fiscal Year 2009 Capital Improvement Program (Attachment C).

4. Surplus of Sudbury River, South Basin Watershed Lands, Phase II (ref. A&F B.4)

Voted to authorize the Executive Director, on behalf of the Authority, to declare and treat as surplus to any watershed system uses or needs of MWRA all remaining portions of former watershed system real estate in Framingham in the South Basin of the Sudbury Reservoir which were not previously declared as surplus by action of the Board of Directors on April 11, 2007, but retaining only for water transmission purposes those access and maintenance easements and/or licenses over existing emergency water transmission lines and facilities (as presented and filed with the records of the meeting as Figure 1); and to further authorize the Executive Director, on behalf of the Authority, to take all actions necessary to preserve such access and maintenance easement and/or license rights and to discontinue all further payments in lieu of taxes and any other financial responsibility beyond FY08 for all such lands.

5. June PCR Amendments – FY08 (ref. P A.1)

Voted to approve amendments to the Position Control Register, as presented and filed with the records of the meeting.

6. Appointment of Deputy Treasurer, Finance Division (ref. P A.2)

Voted to approve the Executive Director's recommendation to appoint Matthew Horan to the position of Deputy Treasurer in the Finance Division (Non-Union, Grade 13), at an annual salary of \$81,000.00 to be effective on the date designated by the Executive Director.

B. Contract Awards

1. Ambulance Response Services: Action Ambulance Service, Inc., Contract S465 (ref. WW A.1)

Voted to approve the award of Contract S465, Ambulance Response Services, to the lowest eligible and responsible bidder, Action Ambulance Service, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$489,600.00 for a term of 730 calendar days from the Notice to Proceed.

2. Northern High Service, Section 53 – Revere: Albanese D&S, Inc., Contract 5177 (ref. W A.1)

Voted to approve the award of Contract No. 5177, Northern High Service, Section 53 – Revere, to the lowest eligible and responsible bidder, Albanese D&S, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$2,659,476.00 for a term of 540 calendar days from the Notice to Proceed; with the proviso that the contract shall not be executed until the bid protest dispute has been resolved by the Attorney General's office.

C. Contract Amendments/Change Orders

1. Northern Intermediate High Assessment and Concept Plan: Fay, Spofford & Thorndike, LLC, Contract 6954, Amendment 3 (ref. W A.1)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment No. 3 to extend the term of Contract No. 6954 with Fay, Spofford & Thorndike, LLC, Northern Intermediate High Assessment and Concept Plan, by 184 calendar days to February 4, 2009, and to transfer available funds within the contract, with no increase in contract amount.