

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

April 17, 2024

A meeting of the Massachusetts Water Resources Authority (“MWRA”) Board of Directors was held on April 17, 2024 at MWRA’s Headquarters at Deer Island, Boston, and via remote participation.

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

MWRA Executive Director Frederick Laskey participated remotely. Deputy Chief Operating Officer Rebecca Weidman and Associate Special Assistant for Affirmative Action Tomeka Cribb also participated remotely.

General Counsel Carolyn Francisco Murphy; Chief Operating Officer David Coppes; Director of Finance Thomas Durkin; Director of Administration Michele Gillen; Tunnel Program Director Kathy Murtagh; Human Resources Director Wendy Chu; Director of Wastewater Operations and Maintenance Charles Ryan; Deputy Director of Finance/Treasurer Matthew Horan; Director of Planning and Sustainability Stephen Estes-Smargiassi; Project Manager, Planning, Cory Yarrington; Director of Environmental and Regulatory Affairs Colleen Rizzi; Director of Construction Eleanor Duffy; Construction Coordinator Alejandro Alvarez; MIS Director Paula Weadick; Public Affairs Director Sean Navin; Deputy Deer Island Treatment Plant Director Chad Whiting; Asset Management Analyst Michael Curtis; Chief of Staff Katie Ronan; Associate General Counsels Angela Atchue, Kimberley McMahan and Kristen Schuller-Scammon; and, Assistant Secretary Kristin MacDougall participated at MWRA Headquarters.

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

Chair Tepper called the meeting to order at 1:01pm.

ROLL CALL

MWRA General Counsel Francisco Murphy took roll call of Board Members in attendance and announced that Board Members Vitale and Patrick Walsh were participating remotely. The Chair announced that the meeting was being held at MWRA’s Headquarters and virtually, via a link posted on MWRA’s website. She added that the meeting would be recorded, and that the agenda and meeting materials were available on MWRA’s website. She also announced that individual roll call votes would be conducted after each motion was made and given an opportunity for discussion.

APPROVAL OF MARCH 13, 2024 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors' meeting of March 13, 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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. I)

REPORT OF THE EXECUTIVE DIRECTOR

MWRA Executive Director Fred Laskey reported that staff continue to seek funding for projects, including \$20 million in Climate Mitigation Trust Fund financing and \$5 million in Clean Water Act grant funds. He thanked Secretary Tepper and her staff for their assistance in maximizing available funds, and for issuing the MEPA Certificate for the Metropolitan Water Tunnel Program. Next, Mr. Laskey briefly discussed the Hardwick Landfill. He explained that the landfill is located outside of the Quabbin watershed and MWRA is paying close attention; that it does not pose an immediate threat to MWRA's water supplies; and, that MWRA staff are working with environmental regulators and following the situation closely. Finally, Mr. Laskey noted that staff assisted at the 2024 Boston Marathon by providing MWRA trucks for side-street security; checking and sealing manholes along the route to make sure such were secure; opened MWRA's Commonwealth Avenue Pump Station and placed MWRA's drinking water wagon there and served cold water to runners coming up the hill in Newton. (ref. III)

EXECUTIVE SESSION

Chair Tepper requested that the Board move into Executive Session to discuss Real Estate and Litigation, since discussing such in Open Session could have a detrimental effect on the negotiating and litigating positions of the Authority. She announced the planned topics for Executive Session were an update on external parcel funding on DCR watershed land, and the *Thomas Ryan et. al v. Newark Group Inc., et. al* federal court civil action. She announced 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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

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

*** EXECUTIVE SESSION ***

The meeting entered Executive Session at 1:06pm and adjourned at 1:36pm.

(Board Member Foti temporarily left the meeting during Executive Session.)

*** CONTINUATION OF OPEN SESSION ***

EXECUTIVE DIRECTOR’S REPORT (Continued)

Mr. Laskey invited Michele Gillen, MWRA Director of Administration, to update Board Members on MWRA’s Diversity, Equity and Inclusion (DEI) initiatives. Ms. Gillen reported that MWRA’s DEI programs continue to grow, with a focus on employee engagement and inclusion. She noted that staff have recently started an internal “Lunch and Learn” speaker series in response to employee requests for events that highlight their colleagues’ work. She further noted that the series debuted in March with a talk highlighting Women in Leadership at MWRA, followed by an April presentation on MWRA’s Commitment to Sustainability and Mitigating the Impacts of Climate Change. She added that upcoming topics will include MWRA’s CSO Control Program

and Environmental Justice, and that staff will participate in an upcoming Earth Day Cleanup in Chelsea with Green Roots.

There was brief discussion about the staff participation in the Lunch and Learn program, and the ongoing external Lunchtime Speaker Series. Mr. Laskey invited Board Members to participate in and view recordings of the talks. (ref. III)

PERSONNEL AND COMPENSATION

Approvals

April 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.

Wendy Chu, MWRA Human Resources Director, discussed three proposed PCR amendments, comprised of title and grade changes to vacant positions to better meet staffing needs. The positions and grades were identified as Finance Division, Treasury Department from a Manager, Deer Island Administration & Finance (Unit 6, Grade 13) to a Treasury Analyst (Unit 6, Grade 8); Operations Division, Engineering and Construction Department from a Senior Program Manager (Unit 9, Grade 30) to a Program Manager (Unit 9, Grade 29); and Operations Division, Western Water Grounds Maintenance Department from a Skilled Laborer (Unit 2, Grade 11) to an OMC Laborer (Unit 2, Grade 13).

Board Member Pappastergion asked how long the Deer Island Administration and Finance Manager position had been vacant. Matthew Horan, MWRA Deputy Director of Finance/Treasurer, explained that it had been vacant for several years. There was brief discussion about the proposed title and grade change for the position, during which Ms. Gillen noted that the proposed PCR amendments are consistent with MWRA's efforts to promote career paths, including the creation of more entry-level positions. There was general discussion about the organizational benefits of entry-level positions.

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		
Flanagan		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		

Yes No Abstain

P. Walsh

(ref. V A.1)

(Mr. Foti returned to the meeting after the roll call vote.)

Appointment of Manager, Wastewater Operations

A motion was duly made and seconded to approve the appointment of Mr. John Parkhurst to the position of Manager, Wastewater Operations (Non Union, Grade 14), in the Wastewater Operations Department, at an annual salary of \$162,000, commencing on a date to be determined by the Executive Director.

Ms. Chu described the job duties of the Manager, Wastewater Operations position. She also discussed the position's vacancy history due to promotion; the interview and selection process; and, the recommended candidate's qualifications and work experience.

There was general discussion about the recommended candidate's work experience and qualifications; background on the position's vacancy; the candidate selection process; the applicant's qualifications; the position's responsibilities; and, the benefits of on-the-job training.

Mr. Taverna asked who held the position previously, and inquired about the timeframe for posting the vacant position. Board Member Jack Walsh inquired about the selection of an external candidate, and inquired further about the individual's experience and education. It was noted that there were internal candidates who applied for the position and two were interviewed.

General discussion followed regarding on-the-job training, education, licenses and qualifications. Director of Wastewater Operations and Maintenance Charles Ryan responded and discussed Mr. Parkhurst's professional experience, education and licenses held, as well as consideration of the internal candidates' qualifications.

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

Yes No Abstain

Tepper

Flanagan

Foti

Pappastergion

Peña

Taverna

Vitale

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
J. Walsh		
P. Walsh		

(ref. V A.2)

Appointment of Director, Water Quality, Operations Division

A motion was duly made and seconded to approve the appointment of Ms. Kimberly LeBeau to the position of Director, Water Quality, Operations Division (Non-Union Grade 15) at an annual salary of \$168,205, commencing on a date to be determined by the Executive Director.

Ms. Chu provided background on the Water Quality Director position, which is part of a reorganization discussed at the March 13, 2024 Board of Directors' meeting. She described the position's job duties; the interview and selection process; and, the recommended candidate's work experience and qualifications.

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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. V A.3)

Appointment of Director, Environmental Quality, Operations Division

A motion was duly made and seconded to approve the appointment of Mr. David Wu to the position of Director, Environmental Quality, Operations Division (Non-Union, Grade 15) at an annual salary of \$168,205, commencing on a date to be determined by the Executive Director.

Ms. Chu summarized the responsibilities of the Director of Environmental Quality position, which was created as part of a reorganization discussed at the March 13, 2024 Board of Directors meeting. She described the selection process and the recommended candidate's qualifications and work experience.

There was discussion with questions and answers about the reorganization of the Department

of Environmental Quality into two departments that focus solely on wastewater reporting and compliance, and drinking water reporting and compliance, respectively. There was also brief discussion about the importance of knowledge transfer in preparation for the upcoming retirement of the Director of ENQUAL.

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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. V A.4)

WATER POLICY AND OVERSIGHT

Information

Report on 2023 Water Use Trends and Reservoir Status

Stephen Estes-Smargiassi, MWRA Director of Planning and Sustainability, and Cory Yarrington, MWRA Planning Project Manager, presented an update on FY2023 water use trends and reservoir status. The presentation included an overview of MWRA's source waters, watersheds and water storage; a review of system reliability concepts such as safe yield; critical planning focus for drought; and, current withdrawal rates. Mr. Estes-Smargiassi noted that in his view, MWRA's current combined safe yield of 300 million gallons per day (MGD) may be conservative in light of increased precipitation levels.

The presentation also included an overview of longer-term water use trends in the MWRA service area, including substantial drops in reservoir withdrawals and total water consumption by MWRA communities. Mr. Estes-Smargiassi noted that MWRA's system has remained within safe yield since the 1980s, and that daily withdrawals have trended downward since 2004, despite the addition of new water service communities.

He presented water use highlights for 2023, and briefly discussed the City of Boston's water demand, which has steadily decreased to levels lower than those recorded in 1900.

The presentation also included discussion of base (indoor) versus seasonal (outdoor) water

demand. Mr. Estes-Smargiassi noted that base use continues to show improvements attributable in part to water use efficiency.

Mr. Estes-Smargiassi then presented data on water demand for MWRA's partially-supplied communities, which is more variable than that for fully-supplied communities. He also discussed monthly average rainfall data for Boston, noting that the summer of 2023 was the second-rainiest since 1872, and that 2024 precipitation levels have been approximately 50% higher than MWRA's long-term average.

Finally, Mr. Estes-Smargiassi reported that despite the addition of new communities, MWRA's water demand for 2023 was at its lowest point since 1950, and that the reservoirs stayed within their normal operating ranges for the entire year. He noted that MWRA's water supply is well-situated to provide reliable supplies to existing customers and potential new customer communities.

Board Member Taverna asked if the ongoing Quabbin releases had any impact on downstream rivers. Mr. Estes-Smargiassi explained that MWRA monitors and controls the volume of the releases to mitigate any negative impacts. He added that residents on the Swift River floodplain were notified by mail of potential high river levels.

Secretary Tepper requested more information about possible reasons for the reduction in water use within the MWRA system. Mr. Estes-Smargiassi explained that the reduction could be attributed to a number of factors such as the wider availability of water-efficient toilets and appliances, as well as increased awareness about the importance of indoor and outdoor water conservation. There was brief, general discussion about outdoor water conservation.

Hearing no further discussions or questions from the Board, Committee Chair Vitale moved to the next Information item. (ref. VI A.1)

Quabbin Reservoir Watershed Communities System Expansion Evaluation Update

Colleen Rizzi, MWRA Director of Environmental and Regulatory Affairs, presented an update on MWRA's ongoing evaluation of System Expansion for Quabbin Reservoir Watershed Communities. She noted that staff are preparing a feasibility study on water system expansion to 12 Quabbin area communities, and explained that two communities (Phillipston and Ludlow) had been added to the study area since this topic was presented at the October 18, 2024 Board meeting (ref. V A.1, October 18, 2024).

The presentation included discussion on the study's objectives and methodologies. Ms. Rizzi noted that the Quabbin Reservoir Watershed feasibility study will vary slightly from the three already-completed feasibility studies (South Shore, Ipswich River Basin and MetroWest). She explained that the Quabbin study would include the identification of potential water supply alternatives, such as surface water intake and treatment or groundwater supply, because the

Quabbin area has limited access to existing MWRA infrastructure. She further explained that the Quabbin study will include an examination of high level costs and a schedule for alternatives.

Ms. Rizzi also discussed MWRA's ongoing coordination with communities within the Quabbin study area, and a productive information session on April 12, 2024, which was attended by representatives of four of the 12 study communities.

Finally, Ms. Rizzi summarized the next steps in the evaluation process and provided a brief schedule overview. She noted that staff expect to present the final findings to the Board of Directors at the end of 2024.

Mr. Taverna requested clarification on the number of Quabbin study area communities that currently have no existing public water system infrastructure. Ms. Rizzi explained that only five of the 12 study area communities have an existing public water supply. There was brief, general discussion about the challenges of supplying MWRA water to communities without public water system infrastructure.

Chair Tepper relayed that she had heard from a couple of legislators who were hoping to have a broader scope of the study (not just inclusion of watershed communities) given the economies of scale and asked if there was any discussion about the possibility of the study being broader. Ms. Rizzi explained that MWRA has heard from legislators as well, and that staff view the Quabbin study as a first step toward determining the viability and feasibility of expansion to communities surrounding the Quabbin Reservoir before expanding to a larger geography, and briefly noted the linear aspects of expansion. Mr. Laskey discussed the study including noting staff's brief report at the prior board meeting of interest by some in a more expansive study – an economic study; that MWRA's study focuses on water in the Quabbin and perhaps a broader focus would fall under entities such as the Metropolitan Area Planning Council; and that four of the 12 Quabbin communities attended MWRA's information session. Chair Tepper asked if there was anything that would preclude MWRA from adding more communities to the Quabbin expansion study in the future. Mr. Laskey replied that there was not, noting getting a sense of the resources and costs for such a study and MWRA's willingness to cooperate. Chair Tepper recommended that the lines of communication be kept open, and Mr. Laskey agreed.

Hearing no further discussions or questions from the Board, Committee Chair Vitale moved to the next Information item. (ref. VI A.2)

Approvals

Town of Wilmington Renewal of Water Supply Continuation Agreement with Increased Withdrawal and Waiver of Entrance Fee

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

Authority, to approve the Town of Wilmington’s request to increase its withdrawal volume limits up to 450.5 million gallons per year, or 1.23 million gallons per day average daily use, and up to 2.5 million gallons per day maximum day use and to waive the entrance fee associated with such increased withdrawal volume.

Further, a motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to execute the Water Supply Continuation Agreement with the Town of Wilmington, substantially in the form included as Attachment A to the April 17, 2024 Staff Summary presented and filed with the records of this meeting.

Ms. Rizzi provided background on the initial water supply contract with the Town of Wilmington, and described the terms of the proposed water supply continuation agreement, which includes an increase in water withdrawal limits and an entrance fee waiver. She explained that the proposed withdrawal increase for Wilmington is mostly driven by the Town’s concerns about its local water quality and its reliance on the stressed Ipswich River basin. She described the status of Wilmington’s local water supplies, including its groundwater wells, and noted that the MWRA Advisory Board recommends approval of the proposed water supply agreement renewal and entrance fee waiver for Wilmington.

Mr. Taverna asked if Wilmington could potentially join the MWRA system as a fully-supplied water community. Ms. Rizzi explained that the Town is considering this possibility, and provided a brief, general overview of the timeline, steps and requirements for doing so.

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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. VI B.1)

Contract Amendments/Change OrdersRehabilitation of Sections 23, 24 and 47 Water Mains – Boston and Newton: Albanese D&S, Inc., Contract 6392, Change Order 4

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 4 to Contract 6392, Rehabilitation of Sections 23, 24 and 47 Water Mains – Boston and Newton, with Albanese D&S, Inc. for a not-to-exceed amount of \$1,087,031.50, increasing the contract amount from \$27,385,464.07 to \$28,472,495.57, 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 6392 in an amount not to exceed the aggregate of \$1,000,000 in accordance with the Management Policies and Procedures of the Board of Directors.

Eleanor Duffy, MWRA Director of Construction, and Alejandro Alvarez, MWRA Construction Coordinator, discussed the reasons for a proposed change order with Delegated Authority for the Sections 23, 24 and 47 Water Mains Project in Boston and Newton contract.

Ms. Duffy provided background on the project to improve water quality and system reliability for the Southern High Pressure Zone areas of Boston, Newton and Watertown. She explained that this project supports two other contracts as part of the larger Intermediate High Pipeline Improvements Program, which will interconnect two geographically distinct and hydraulically unconnected pressure zones.

Next, Ms. Duffy discussed the reasons for the proposed change order. She explained that it would cover costs for quantity overruns for some classifications of soils for disposal, as well as associated transportation and disposal facility fee increases. She added that some classifications of soils have significant underruns in contract quantities that will be captured in the final balancing change order for a credit to MWRA and the City of Newton, and noted that Newton will reimburse MWRA for a portion of the surplus soil disposal costs, under a Memorandum of Understanding (MOU).

Ms. Duffy explained that the proposed change order also included costs for additional water main excavation, and the relocation and replacement of municipal drain and sewer lines for an Emergency Interconnection between MWRA and Newton. She further explained that this work is needed to address a hydraulic shortfall that would affect future construction projects. She added that performing this work will eliminate the need to deactivate, cut and disinfect new Section 23 piping during a future Intermediate High Pipeline construction project and minimize disruption to the surrounding residential areas.

Mr. Alvarez concluded the presentation with a project overview and progress update.

Mr. Taverna complimented MWRA staff and the contractors for their diligent work on this

complex project. Board Member Jack Walsh inquired about increased soil disposal costs. Ms. Duffy explained that cost increases for soil quantity overruns require contractors to renegotiate purchase agreements in a supply and demand environment, which is not uncommon. There was brief, additional discussion about soil disposal costs, and the anticipated soil underrun credits, which will be included by MWRA in a future balancing change order (i.e. amendment to the contract).

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		
Flanagan		
Foti		
Pappastergion		
Peña		
		Taverna
Vitale		
J. Walsh		
P. Walsh		

(ref. VI C.1)

ADMINISTRATION, FINANCE AND AUDIT

Information

2023 Annual Update on New Connections to the MWRA System

Ms. Rizzi presented an annual update on new connections to the MWRA system. She reported that there were no new water or sewer connections since the 2022 Annual Update. She briefly discussed MWRA's System Expansion policies; new system connections since 2002; three completed system expansion studies (Ipswich River Basin, South Shore and MetroWest), and one planned study for Quabbin Reservoir communities. She provided an overview of communities that are in various stages of planning or considering admission to the MWRA system, and noted that MWRA's upcoming study to assess the expansion of MWRA's water system to communities within the Quabbin Reservoir Watershed is expected to be complete in late 2024.

Mr. Jack Walsh asked if MWRA will prioritize the applications for new communities. Ms. Rizzi explained that MWRA does not currently need to prioritize applications for communities within the completed study areas, and that prioritization could be considered in the future if needed. Mr. Walsh expressed support for system expansion. There was brief discussion about the general timeline of a typical admissions process for a new community.

Hearing no further discussion or questions from the Board, Committee Chair Foti moved to the next Information item. (ref. VII A.1)

Delegated Authority Report – March 2024

Mr. Foti invited Board Members' questions on the Delegated Authority Report.

With regards to report Item C-1: *Worker's Compensation*, there was brief, general discussion with questions and answers about Worker's Compensation statutes and constraints. There was also general discussion about the health insurance coverage and costs for employees receiving Worker's Compensation benefits.

Hearing no further discussion or questions from the Board, Mr. Foti moved to the next Information item. (ref. VII A.2)

FY24 Financial Update and Summary through March 2024

Thomas Durkin, MWRA Finance Director, provided a financial update and summary through March, 2024. He reported that MWRA's budget is progressing well, and that staff continue to develop the FY2025 budget. He discussed the Current Expense Budget (CEB), the variability of some CEB line items such as chemicals (22.2% under budget for FY2024); methods for managing variability; and the impacts of interest rates, inflation and debt on MWRA's budgets. Finally, Mr. Durkin reported that the FY2024 budget is approximately 3% under budget overall.

Hearing no discussion or questions from the Board, Mr. Foti moved to Approvals. (ref. VII A.3)

Approvals

Approval of the Eighty-Eighth Supplemental Resolution

A motion was duly made and seconded to adopt the Eighty-Eighth Supplemental Resolution authorizing the issuance of up to \$500,000,000 of Massachusetts Water Resources Authority Tax-Exempt General Revenue Bonds and General Revenue Refunding Bonds and the supporting Issuance Resolution.

Mr. Horan requested approval to adopt the 88th Supplemental Resolution. He described the bonds to be issued under this authorization, which include approximately \$300 million in refunding bonds to permanently finance outstanding short-term borrowings, and \$200 million in new money bonds to complete a refunding of outstanding bonds to achieve interest rate savings.

There was general discussion with questions and answers about the bond market, and the logistics of the proposed issuance. There was also brief, general discussion about Green Bonds and the Green Bond market.

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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. VII B.1)

Contract Awards

Disclosure Counsel Services: Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., Contract F277

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award Contract F277 to Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. for Disclosure Counsel Services and to authorize the Executive Director, on behalf of the Authority, to execute Contract F277 in an amount not to exceed \$675,260 and for a term of four years from the date indicated in the Notice to Proceed.

Mr. Horan provided a brief overview of the consultant selection process for the proposed contract for disclosure counsel services. He noted that Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. (“Mintz”) was the recommended contractor.

There were questions and answers about the prior provider, and the point person for Mintz.

Chair Tepper requested more information about the proposals received for the contract. Mr. Horan noted that Mintz, the recommended firm, submitted the second-lowest priced proposal (\$675,260). He explained that Mintz had more direct disclosure experience than the lowest-priced proposer and offered a better value overall.

Hearing no further discussion or questions from the Board. Hearing none, 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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Vitale		
J. Walsh		
P. Walsh		

(ref. VII C.1)

Contract Amendments/Change Orders

Purchase Order for Data Reporting Analyst (Report Writer): Consultant Mindlance Inc., Bid WRA-5281Q, State Contract ITS77 Category 1A and 1B, Amendment 1

A motion was duly made and seconded that the Board of Directors, on behalf of the Authority, approve the award of Amendment 1 to WRA-5281Q for a Data Reporting Analyst (Report Writer) Consultant to Mindlance Inc., in the amount of \$168,148.50 and authorize the Director of Administration to execute an amended purchase order, increasing the purchase order amount from \$168,148.50 to \$336,297, and extending the contract term by one year from April 25, 2024 to April 25, 2025.

Paula Weadick, MWRA MIS Director, explained that the proposed amendment for a Data Reporting Analyst (Report Writer) to the purchase order contract, and further an amendment for a Senior Business Analyst Consultant to Acro Service Corporation (to be discussed in agenda item VII D.2) would extend the terms for consultants who serve in critical roles. She noted that both positions have been difficult to fill with full-time, in-house staff.

In response to a question from Mr. Taverna, Ms. Weadick explained that the purchase order contract for the Report Writer represented one full time equivalent (FTE), for one year. There was brief, general discussion about potential strategies for filling the positions with permanent employees, and the cost. Also, Mr. Peña inquired about employing the persons who are performing the work under the purchase order contracts. Brief discussion followed, and Ms. Weadick noted the positive working relationships with the consultants.

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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
P. Walsh		

(ref. VII D.1)

Purchase Order Contract for Senior Business Analyst Consultant: Acro Service Corporation, Bid WRA-5258Q, State Contract ITS77 Category 1A and 1B, Amendment 1

A motion was duly made and seconded that the Board of Directors, on behalf of the Authority, approve the award of Amendment 1 to WRA-5258Q for a Senior Business Analyst Consultant to Acro Service Corporation, in the amount of \$163,800 and authorize the Director of Administration to execute an amended purchase order, increasing the purchase order amount from \$163,800 to \$327,600, and extending the contract term by one year from March 31, 2024 to March 31, 2025.

Ms. Weadick invited Board Members' questions on the proposed amendment to the purchase order contract for a Senior Business Analyst Consultant.

Mr. Taverna asked if the contract represented one FTE for one year. Ms. Weadick responded in the affirmative.

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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. VII D.2)

WASTEWATER POLICY AND OVERSIGHT

APPROVALS

A motion was duly made and seconded to approve the addition of one new member, Ms. Christine Bennett of the MWRA Advisory Board, to the Wastewater Advisory Committee.

Sean Navin, MWRA Public Affairs Director, summarized the professional experience and qualifications of a recommended new member of the Wastewater Advisory Committee (WAC).

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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. VIII A.1)

Contract Awards

Struvite, Sludge, Scum and Grit Removal Services: Moran Environmental Recovery, LLC,
Contract WRA-5396

A motion was duly made and seconded to approve the award of purchase order contract WRA-5396 to provide struvite, scum, sludge and grit removal services at the Deer Island Treatment Plant to the lowest responsive bidder, Moran Environmental Recovery, LLC and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$1,616,150 for a period of two years, from July 1, 2024 through June 30, 2026.

Chad Whiting, MWRA Deputy Deer Island Treatment Plant Director, presented a summary of the scope and terms of a proposed contract for struvite, sludge, scum and grit removal services at the Deer Island Treatment Plant (DITP). He noted that so-called “flushable wipes” are major contributors to buildup and blockages at the plant.

There was general discussion about struvite disposal, and the frequency of struvite, sludge, scum and grit removal operations at Deer Island.

Mr. Whiting presented an overview of how blockages develop in DITP’s processing areas; examples of blockages; and, the impacts of wipes on DITP facilities. He also presented a struvite sample (sealed in a clear plastic bag) to Board Members for further viewing.

There was general discussion about the nation-wide problem of improper wipe disposal; educational campaigns to raise awareness of the problems that wipes cause to sewer treatment facilities and home plumbing systems; and legislative efforts with respect to disclosure language for wipe packaging. Board Member Flanagan noted that some multi-unit

buildings perform monthly maintenance to clear blockages caused by wipes. Mr. Whiting responded in agreement and acknowledged the problems created when wipes are disposed of using low flow water fixtures.

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		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. VIII B.1)

CORRESPONDENCE TO THE BOARD

There was no correspondence to the Board (ref. IX)

OTHER BUSINESS

There was no Other Business. (ref. X)

ADJOURNMENT

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

A roll call vote was taken in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Flanagan		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

(ref. XI)

The meeting adjourned at 3:05pm.

Approved: May 22, 2024

Attest:

 for
Brian Peña, Secretary

LIST OF DOCUMENTS AND EXHIBITS USED

- Draft Minutes of the March 13, 2024 MWRA Board of Directors' Meeting (ref. I)
- April 17, 2024 Staff Summary – April 2024 PCR Amendments (ref. V A.1)
- April 17, 2024 Staff Summary – Appointment of Manager, Wastewater Operations (ref. V A.2)
- April 17, 2024 Staff Summary – Appointment of Director, Water Quality, Operations Division (ref. V A.3)
- April 17, 2024 Staff Summary – Appointment of Director, Environmental Quality, Operations Division (ref. V A.4)
- April 17, 2024 Staff Summary and Presentation – Report on 2023 Water Use Trends and Reservoir Status (ref. VI A.1)
- April 17, 2024 Staff Summary and Presentation – Quabbin Reservoir Watershed Communities System Expansion Evaluation Update (ref. VI A.2)
- April 17, 2024 Staff Summary – Town of Wilmington Renewal of Water Supply Continuation Agreement with Increased Withdrawal and Waiver of Entrance Fee (ref. VI B.1)
- April 17, 2024 Staff Summary and Presentation – Rehabilitation of Sections 23, 24 and 47 Water Mains Boston and Newton: Albanese D&S, Inc., Contract 6392, Change Order 4 (ref. VI C.1)
- April 17, 2024 Staff Summary and Presentation – 2023 Annual Update on New Connections to the MWRA System (ref. VII A.1)
- April 17, 2024 Staff Summary – Delegated Authority Report – March 2024 (ref. VII A.2)
- April 17, 2024 Staff Summary – FY24 Financial Update and Summary through March 2024 (ref. VII A.3)
- April 17, 2024 Staff Summary – Approval of the Eighty-Eighth Supplemental Resolution (ref. VII B.1)
- April 17, 2024 Staff Summary – Disclosure Counsel Services Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. Contract F277 (ref. VII C.1)
- April 17, 2024 Staff Summary –Purchase Order for Data Reporting Analyst (Report Writer): Consultant Mindlance Inc. Bid WRA-5281Q, State Contract ITS77 Category 1A

and 1B, Amendment 1 (ref. VII D.1)

- April 17, 2024 Staff Summary – Purchase Order Contract for Senior Business Analyst Consultant: Acro Service Corporation Bid WRA-5258Q, State Contract ITS77 Category 1A and 1B, Amendment 1 (ref. VII D.2)
- April 17, 2024 Staff Summary – Approval of New Member of the Wastewater Advisory Committee (ref. VIII A.1)
- April 17, 2024 Staff Summary and Presentation – Struvite, Sludge, Scum and Grit Removal Services Moran Environmental Recovery, LLC WRA-5396 (ref. VIII B.1)