

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

November 19, 2025

A meeting of the Massachusetts Water Resources Authority (MWRA) Board of Directors was held on November 19, 2025 at MWRA Headquarters at Deer Island, Boston and via remote participation.

Chair Tepper presided from MWRA Headquarters. Board Members Foti, Pappastergion, Peña, Taverna, Jack Walsh and Patrick Walsh participated at MWRA Headquarters. Board Members Swett, Vitale and Wolowicz participated remotely. Board Member Flanagan was absent.

MWRA Executive Director Frederick Laskey attended at MWRA Headquarters. General Counsel Carolyn Francisco Murphy; Chief Operating Officer Kathleen Murtagh; Deputy Chief Operating Officers Stephen Cullen and Rebecca Weidman; Director of Finance Thomas Durkin; Director of Administration Michele Gillen; ENQUAL Director David Wu; Wastewater Director Ethan Wenger; Maintenance Manager William Carter; Chief Engineer Brian Kubaska; Project Manager Malcolm Ragan; Planning and Sustainability Director Stephen Estes-Smargiassi; Waterworks Director Valerie Moran; Budget Director Michael Cole; Environmental and Regulatory Affairs Director Colleen Rizzi; Human Resources Director Wendy Chu; Chief of Staff Katherine Ronan; Associate General Counsel Angela Atchue; Technical Support Manager Michael Curtis; and Assistant Secretary Kristin MacDougall were among the staff who also attended at MWRA Headquarters.

Danielle Burney, EEA, attended at MWRA Headquarters and Matt Romero, MWRA Advisory Board, attended remotely.

Chair Tepper called the meeting to order at 1:00pm.

ROLL CALL

MWRA General Counsel Francisco Murphy took roll call of Board members in attendance and announced that Board Members Swett and Wolowicz were participating remotely. The Chair announced that the meeting was being held at MWRA's Chelsea Administration Facility and virtually, via a link posted on MWRA's website. She added that the meeting was being recorded, and that the agenda and meeting materials were available on MWRA's website.

APPROVAL OF OCTOBER 22 AND 29, 2025 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors' meetings of October 22 and 29, 2025.

Chair Tepper asked if there was any questions or discussion 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		

Due to a technical issue with Administration, Finance and Audit Vice-Chair Vitale's Webex connection, the Board moved to Wastewater Policy and Oversight items.

WASTEWATER POLICY AND OVERSIGHT

Contract Awards

Modeling Massachusetts Bay Water Quality: Four Peaks Environmental Science & Data Solutions LLC, Contract OP-499

A motion was duly made and seconded to approve the recommendation of the Selection Committee to award Contract OP-499, Modeling Massachusetts Bay Water Quality, to Four Peaks Environmental Science & Data Solutions LLC in the amount of \$190,509.84 for a contract term of 48 months from the Notice to Proceed.

David Wu, MWRA ENQUAL Director, presented background in support of a proposed contract for the Bays Eutrophication model (BEM) for monitoring water quality in Massachusetts Bay that is updated, maintained and run annually as required by the current Deer Island Treatment Plant (DITP) NPDES permit. He noted the Draft NPDES permit issued in 2023 does not include the model run requirement; however, until a final permit is issued, the model run requirement remains in force; and the latest model run (2024) continued to show no environmental impacts from the DITP outfall.

Next, Mr. Wu reviewed the procurement results for the proposed contract. He noted the bid price for the incumbent contractor, Deltares USA, Inc. (Deltares USA) was incorrectly listed in the Staff Summary, and confirmed the bid presented on Slide 12 for this meeting (\$263,025.61) is correct. He explained the Staff Summary's bid price erroneously included costs for additional out-of-scope work. Finally, Mr. Wu discussed the qualifications of the recommended bidder, Four Peaks Environmental Science & Data Solutions LLC (Four Peaks).

(Mr. Vitale rejoined the meeting during the presentation.)

Mr. Taverna asked if staff are confident in Four Peaks' ability to perform the work for its bid price. Mr. Wu responded in the affirmative, noting that Four Peaks was the subcontractor for the incumbent contractor, and their work was excellent. In response to an additional question from Mr. Taverna, Mr. Wu relayed that Four Peaks' proposed staff and key personnel were very helpful.

In response to a question from Chair Tepper, Mr. Wu explained that per his understanding, the proposed contract with Four Peaks could be terminated early if the model runs are not required by a Final NPDES permit. General Counsel Francisco Murphy noted her understanding that the contract could be terminated and costs to date paid if applicable.

Chair Tepper asked if there was any further questions or discussion 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		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Swett		
Taverna		
J. Walsh		
P. Walsh		
Wolowicz		

(ref. V A.1)

Contract Amendments/Change Orders

Boiler and Water Heater Service: American Refrigeration Company, LLC, Contract OP-463, Change Order 2

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order No 2 to Contract OP-463, Boiler and Water Heater Service, with American Refrigeration Company, LLC for a not-to-exceed amount of \$248,000, increasing the contract amount from \$707,650 to \$955,650, 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 OP-463 in an amount not-to-exceed the aggregate of \$150,000 in accordance with the Management Policies and Procedures of the Board of Directors.

Ethan Wenger, MWRA Wastewater Director, outlined how MWRA uses outside contracts for some maintenance tasks that require special expertise.

Next, William Carter, MWRA Maintenance Manager, reviewed the scope and cost of an existing boiler and heater service contract with American Refrigeration Company, LLC, and explained that staff sought Change Order 2 for unforeseen repairs required for the upcoming heating season, as detailed in the Staff Summary and presentation for this meeting. Mr. Carter also presented a table summarizing the costs and durations of the original contract and change orders to date, including proposed Change Order 2.

(Mr. Vitale briefly left and returned to the meeting during the presentation due to a Webex connection issue).

Chair Tepper asked if there was any questions or discussion 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		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

Yes

No

Abstain

Wolowicz

(ref. V A.2)

ADMINISTRATION, FINANCE AND AUDIT

Information

Delegated Authority Report – October 2025

Mr. Vitale invited Board Members' questions about the October 2025 Delegated Authority Report.

Mr. Taverna requested more information about the nature of required code adjustments under Report Item C-1, *Shaft 5 Building Improvements*. Mr. Laskey explained that Item C-1 addresses requirements such as for electrical upgrades, safety and masonry. MWRA Chief Engineer Brian Kubaska noted that the code adjustments required changes to contract drawings and that staff would provide more detailed information at a later date. Mr. Laskey added that plumbing code changes were likely included.

Hearing no further questions of discussion from the Board, Mr. Vitale moved to the next Information Item. (rev IV A.1)

FY2026 First Quarter Orange Notebook

Malcolm Ragan, Project Manager, Planning, presented highlights of the FY2026 First Quarter (FY26 Q1) Orange Notebook as detailed in the Staff Summary and presentation slides for this meeting. He discussed the effect of ongoing drought conditions on the Quabbin Reservoir's storage volumes and DITP Wastewater flows. He also noted the Quabbin dipped below normal status for several days at the end of October and is now within normal operating range.

Mr. Ragan then reported a FY26 Q1 increase in MWRA water distribution system total coliform positives versus Q1 in FY25,, adding that positive samples do not suggest regulatory violations or a public health concern. He explained community sampling results could be influenced by local pipe and storage conditions and are not necessarily indicative of MWRA water quality. He also described ongoing sampling support programs for customer communities.

Finally, Mr. Ragan discussed two FY26 Q1 NPDES violations for average monthly recoverable copper at the Clinton Wastewater Treatment Plant, attributable to less diluted flows from homes during periods of low precipitation.

Mr. Taverna asked if FY26 Q1's total coliform positives could have been due to sampler error. MWRA Director of Planning and Sustainability Stephen Estes-Smargiassi described MWRA's measures to reduce the likelihood for error such as community sampler training protocols and explained that the Q1 total coliform positives were more related to the interannual variability of water quality leaving the reservoir, temperature, and community storage tank management; and that the potential for sampling error is a more common factor in E.coli positives.

In response to a question from Mr. Pappastergion, Mr. Estes-Smargiassi affirmed that MWRA tracks, maintains and makes recommendations on the sampling data that communities submit to DEP, including recommendations on system operations and sampling locations. Mr. Pappastergion noted that a significant number of FY26 Q1 total coliform hits occurred in one month. Mr. Estes-

Smargiassi explained that total coliform hits typically rise in the late summer, attributable to storage tank issues related to water temperature and reduced flows. Valerie Moran, MWRA Waterworks Director, added that some of the total coliform hits for summer 2025 were associated with samples taken at schools with inactive water facilities due to seasonal closures. Mr. Estes-Smargiassi noted that staff had recently met with DEP to review the FY26 Q1 total coliform data and steps for remediation and prevention.

In response to a question from Mr. Jack Walsh, Mr. Estes-Smargiassi explained that total coliform levels are typically lower during the winter through early spring, with more frequent, sporadic hits in early summer that increase as the water continues to warm, and levels can vary yearly based on the interannual variability of the amount of organic material in the reservoirs' reactivity. He relayed that the total coliform results for FY26 Q1 do not represent a dramatic change from the 8-10 year pattern.

Mr. Taverna inquired about reported staff FY25 Q1 vacancies for water distribution pipeline leak surveying and asked if MWRA outsources these operations. Ms. Moran explained that leak detection surveys for MWRA's water system are not outsourced; it has been challenging to recruit and retain leak survey staff due to night work requirements; it has been an especially challenging year for leak survey staffing due to employee leaves; and staffing levels are getting back on track.

Hearing no further questions of discussion from the Board, Mr. Vitale moved to the next Information Item. (rev IV A.2)

FY26 Financial Update and Summary through October 2025

Michael Cole, MWRA Budget Director, reviewed financial highlights through October 2025 as presented in the Staff Summary for this meeting. He reported an \$8.6 million Current Expense Budget (CEB) variance, which represents a slight improvement over the same time last year. He noted a variance of 91 FTEs through October that impacted spending on wages and salaries and health insurance; a continuing trend of higher utility costs, especially for electricity at DITP; and some improvement in Watershed Protection spending.

Mr. Cole reported that the Capital Improvement Plan (CIP) was approximately 29% under planned spending on a gross basis through October; however, the CIP was only 12% underspent after accounting for non-project spending such as for the Community Loan Program. He noted that October year to date spending represented an improvement over FY25, and the budget is progressing well overall. Finally, Mr. Cole relayed that staff are working to develop projections for FY27 and beyond, and staff plan to present on the FY27 budget at the January Board meeting.

Hearing no discussion or questions from the Board, Chair Tepper moved to Water Policy and Oversight items. (ref. IV A.3)

WATER POLICY AND OVERSIGHT

Information

Update on Lead and Copper Rule Compliance – Fall 2025

Mr. Estes-Smargiassi provided background on MWRA's Lead and Copper Rule Sampling Program, including its purpose and use of sampling sites at worst-case homes. He discussed the 90% lead levels in MWRA's fully-supplied communities for June 1992 through September 2025, and noted

that the results of the most recent lead and copper sampling round (Fall 2025) were 5.9 parts per billion, under the Action Level of 15, all as detailed in the Staff Summary and presentation for this meeting.

Mr. Estes-Smargiassi reported that three communities (Boston, Malden and Medford) were individually over the Lead Action Level (LAL) this sampling round. He described federally-required community response actions for these municipalities, such as public notices, continued local lead service lines replacement, and additional sampling next year.

He noted that out of 594 total samples taken for the Fall 2025 sampling round, only 18 (including 16 from homes with lead service lines) were over the LAL; further, 90% of samples over the LAL during the past 10 years were taken from homes with lead service lines.

Mr. Estes-Smargiassi then outlined the process for assessing community sites with elevated lead samples and presented test results of that portion of the sampling pool with lead service lines and those with lead solder. He noted that 90th percentile results are significantly lower for sites with no lead service lines. He also discussed the progress, findings and requirements of the ongoing community lead service line inventory and presented a progress update on the MWRA Lead Loan Program. Finally, he relayed that the Town of Belmont recently reported it has only one lead service line remaining and will continue to encourage the property owner to replace it.

Hearing no further discussion or questions from the Board, Committee Chair Taverna moved to Approvals (ref. V A.1)

Approvals

Emergency Water Supply Agreement with the Town of Wayland

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, and contingent upon approval of the MWRA Advisory Board, to execute an Emergency Water Supply Agreement with the Town of Wayland for a period of up to six months, substantially in the form set forth in Attachment A of the November 19, 2025 Staff Summary presented and filed with the records of this meeting.

Collen Rizzi, MWRA Environmental and Regulatory Affairs Director, outlined the reasons and terms of a proposed emergency Water Supply Agreement (WSA) with the Town of Wayland as detailed in the Staff Summary for this meeting. She explained that MWRA had approved the Town's November 5, 2025 request for a short-term emergency activation; staff are now recommending a six-month emergency water supply contract; this is Wayland's third request for activation; and, the Town is actively pursuing admission to the MWRA water system, which is currently in the MEPA process.

Mr. Taverna asked if Wayland could apply for additional emergency WSAs when the proposed agreement expires. Ms. Rizzi responded in the affirmative, noting that additional agreements would require approval from the MWRA Board of Directors and MWRA Advisory Board.

Chair Tepper asked if there was any further questions or discussion 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		

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

(ref. VI A.2)

PERSONNEL AND COMPENSATION

Approvals

November 2025 PCR Amendments

A motion was duly made and seconded to approve amendments to the Position Control Register (PCR) as presented in the November 19, 2025 Staff Summary and filed with the records of this meeting.

Wendy Chu, MWRA Human Resources Director, requested Board approval for three Position Control Register (PCR) amendments, including an employee reclassification in the Human Resources department; and salary adjustments related to salary collisions in the Safety and Toxic Reduction and Control departments, as presented in the Staff Summary.

There was brief discussion with questions and answers about MWRA's process for calculating Unit 9 position pay adjustments to alleviate salary collisions.

Chair Tepper asked if there was any further questions or discussion 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		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
Wolowicz		

(ref. VII A.1)

Appointment of Manager, Workplace Investigations

A motion was duly made and seconded to approve the appointment of Mr. Michael Guarin to the position of Manager, Workplace Investigations (Non-Union, Grade 14) in the

Administration Division, at an annual salary of \$146,250, commencing on a date to be determined by the Executive Director.

Ms. Chu described the job responsibilities of the Manager of Workplace Investigations, the advertisement and selection process for this position, and the recommended candidate's work experience and qualifications.

There was brief, general discussion with questions and answers about the applicant pool for this position, which included no internal staff.

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		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
Wolowicz		

(ref. VII A.2)

CORRESPONDENCE TO THE BOARD

Chair Tepper announced that the Board of Directors had received numerous correspondence regarding the Draft CSO Plan, which is included in the materials for this meeting and posted on MWRA's website; and, in addition to formal Correspondence to the Board, the Assistant to the Board of Directors, individual Board members and staff also received many emails related to the Draft CSO Plan. She relayed that the correspondence and emails would not be listed individually in the interest of time; however, their receipt has been noted, and the interest and outreach on this matter is appreciated. (ref. VIII)

OTHER BUSINESS

Mr. Laskey briefly mentioned that Board Member Flanagan's absence was due to recovery from a successful, routine medical procedure. (ref. IX)

TO CONCLUDE OPEN SESSION AND ENTER EXECUTIVE SESSION

Having no further business in Open Session, the Chair then moved to conclude Open Session and enter into Executive Session to discuss Real Estate and Litigation, since Open Session may have a detrimental effect on the negotiating and litigating positions of the Authority. She announced the planned topics for Executive Session: a watershed land acquisition; Massachusetts Natural Fertilizer Co., Inc. claims including Superior Court cases: *Mass Natural et. al., v. MWRA et. al., No. 2585-CV-00439 and Brasili v. Newark Group et. al., No. 2585-CV-00370*; and, the federal court Boston Harbor case, No. 85-0489-RGS. Chair Tepper announced that the Board would not return

to Open Session after the conclusion of Executive Session.

A motion was duly made and seconded to conclude Open Session and enter Executive Session for the purposes outlined.

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 at their remote location or able to hear the Executive Session discussion.

Upon the 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		
Swett		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
Wolowicz		

Voted: to conclude Open Session and enter Executive Session.

The Open Session concluded at 1:54pm.

*** EXECUTIVE SESSION ***

The meeting entered Executive Session at 1:55pm and adjourned at 3:00pm.

Approved: December 10, 2025

Attest:

 for
 Brian Peña, Secretary

LIST OF DOCUMENTS AND EXHIBITS USED

- Draft Minutes of the October 22 and 29, 2025 MWRA Board of Directors Meeting (ref. I)
- Presentation Slide: Wachusett Reservoir Lower Gatehouse Valve Testing (ref. III)

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- November 19, 2025 Staff Summary and Presentation – Modeling Massachusetts Bay Water Quality: Four Peaks Environmental Science & Data Solutions LLC, Contract OP-499 (ref. V A.1)
 - November 19, 2025 Staff Summary and Presentation – Boiler and Water Heater Service: American Refrigeration Company, LLC, Contract OP-463, Change Order 2 (ref. V B.1)
 - November 19, 2025 Staff Summary: Delegated Authority Report – October 2025 (ref. IV A.1)
 - November 19, 2025 Staff Summary and Presentation: FY2026 First Quarter Orange Notebook (ref. IV A.2)
 - November 19, 2025 Staff Summary and Presentation – FY26 Financial Update and Summary through October 2025 (ref. IV. A.3)
 - November 19, 2025 Staff Summary and Presentation – Update on Lead and Copper Rule Compliance – Fall 2025 (ref. VI A.2)
 - November 19, 2025 Staff Summary – Emergency Water Supply Agreement with the Town of Wayland (ref. VI B.1)
 - November 19, 2025 Staff Summary – November 2025 PCR Amendments (ref. VII A.1)
 - November 19, 2025 Staff Summary – Appointment of Manager, Workplace Investigations (ref. VII A.2)