

Minutes of the Executive Committee of the Massport Community Advisory Committee

Meeting Date: July 10, 2018

Start Time: 10:30 a.m.

Location: Brookline Town Hall Room 103

Members Present: David Carlon, Pete Navarra, Jerry Falbo and Myron Kassaraba

Members Participating Remotely by Telephone: Pam Hill and Maura Zlody

Others in attendance: Jennifer Dopazo Gilbert, Counsel

MPA: None

1. Public Comment – None.
2. Review and Approval of Minutes – None.
3. Update on Funding MOU Agreement with MPA

Members discussed the terms for funding. Jennifer noted the extent of the negotiations and the compromises that were made along the way. The sticking point is section 5.1 with respect to communications and requests for information from one MPA assigned point person. Jerry and Myron believe this is not the appropriate subject matter for a funding agreement and there is nothing in the enabling act that allows for such restrictions to be placed on the MCAC.

Myron is comfortable on language dealing with budget submission and allocation of funds. The forms for the budget are acceptable to Myron. He noted that accrual at 1/12 is standard and items will be put in the budget and can be annualized and done month by month. Myron does not anticipate any issues with funding, but there are checks and balances and he is OK with reconciling on a quarterly basis. He noted that there can be adjustments by quarter to adjust dispersals. He noted the arrangement is linked to reimbursements and excess must be returned.

Jerry has an issue with the schedule of payments, he thinks it should be 100% on July 1st as the statute does not require such restrictions. Myron and Jerry discussed the disbursement schedule. Myron prefers quarterly controls. Jerry will defer to the treasurer, but he still noted his concerns. Jerry wants to be sure there is enough to pay the Executive Director. Members discussed the budget and need for the quarterly payments and ability to adjust at the end of quarter.

Pam thinks it is rational to do quarterly disbursements. Wig noted that with regard to cash flow and vacation pay there could be issues with paying technical consultants, because they would be paid upon completion so there are lump sum payment issues. He asked if episodic payments are accounted for. Wig said with respect to section 5.1 he is opposed and wants access to people with technical expertise.

Maura agreed with Wig on 5.1 as did Pete. Pete added that having a central point person can be helpful, but it hasn't been working in this particular instance.

There was general consensus that section 5.1 was a deal breaker and should be deleted from this funding MOU.

Jerry is opposed to section 4.8 requiring consulting with MPA Human Resources person on hiring other staff. Jerry wants to be independent, but understands the statute would need to be amended. He has the same concerns about 4.9 and contracts over \$25,000. Dave noted that these constraints are in place in Washington D.C. and in private businesses and reflect state law as far as purchasing and bidding.

There was general consensus that the MOU as is with 5.1 deleted would allow the MCAC to conduct its business.

Members agreed per Wig's concern that a sentence shall be added to the offer letter clarifying buy out of vacation time and accruals so as not to impact the budget negatively.

Pete made a motion to authorize the MCAC Chair to sign and deliver the MOU with 5.0– 5.1 deleted Myron seconded the motion. Vote was passed and conducted by roll call due to remote participation.

ROLL CALL VOTE:

YES:

Pam
Maura
Dave
Myron
Wig

NO:

Jerry

Dave, wants support to contact the Speaker's office if he can't get MPA to sign the MOU as voted. Members supported Dave's request.

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4. *EXECUTIVE SESSION – Motion to go into executive session under exemption #2 of the Open Meeting Law in order to discuss contract negotiations with Matt Romero candidate for the position of Executive Director, a non-union position with the MCAC and to reconvene in open session.*

Pete made the motion to enter into executive session and seconded by Wig.

Roll Call Vote was passed IN OPEN SESSION as follows:

YES:

Pam

Maura

Dave

Myron

Wig

Jerry

*Executive Session Minutes Agenda Item #4, Executive Committee Meeting July 10, 2018
(retained separately and not for public release until so voted in accordance with the OML).*

Reconvened in OPEN SESSION:

A motion was made by Pete to authorize the Chair to execute and deliver a conditional offer of employment to Matt Romero contingent on receipt of MPA funds as stated in July 9, 2018 draft offer letter as amended, second by Myron. Unanimous approval by roll vote as follows:

YES:

Pam

Maura

Dave

Myron

Wig

Jerry

5. New Business. The Chair provided an update on John Nucci. The Chair gave an update on membership: Beverly is in process of appointing a member as well as Scituate and Canton. Weymouth is taking it under advisement. MPA will send out another notice on the monitor in the South End. The lot is being redeveloped so MPA has offered 2 other locations to the community. July 19th is the next MPA meeting.

Myron would like to review policies on financial controls to be on the next agenda. Myron noted that the MCAC account was established at Citizens Bank. Myron also noted the FAA operations on extension and reauthorization and how they operate for the next 5 years.

6. Adjournment.

Motion to adjourn by Dave second Wig Unanimous approval by roll call:

YES:

Pam

Maura

Dave
Myron
Wig
Jerry

Approved on October 18, 2018
Minutes by J. Dopazo Gilbert, Esq.
Documents:
Meeting Agenda
Draft Offer Letter
Draft MOU

