

Minutes of the Executive Committee
of the Massachusetts Port Authority Community Advisory Committee

April 21, 2017

10:30 a.m.

Brookline Town Hall – 6th Floor Conference Room

EC Members Attending: David Carlon, Neil Wishinsky, Myron Kassaraba, Wig Zamore, Pam Hill, Jerry Falbo, Maura Zlody

Massport officials present: Anthony Gallagher, MPA Community Relations

1. Public Comment

None.

2. Minutes

Review and approval of EC minutes of meetings of February 14, 2017 and March 9, 2017.

Motion to approve 2/14/17 meetings as amended by Myron, motion by Myron second by Jerry unanimously approved.

Motion to approve 3/9/17 meetings as amended by Myron, motion by Myron second Jerry unanimously approved.

3. Discussion with Bernard Lynch, Community Paradigm Associates

Discussion of role and responsibilities of an Executive Director for the MCAC.

Discussion of schedule of the process culminating in full MCAC presentation on June 8, 2017.

Discussion of preliminary findings and similar organizations. Mr. Lynch handed out a Power Point presentation in printed format with information.

Mr. Lynch noted that his research indicated the MBTA and MWRA Advisory Boards are the most similar to the MCAC with the exception of the adversarial vs. service/user oriented focus. Members discussed the research and information on these organizations.

Members made the distinction with respect to representing “users” as opposed to those impacted by the use as in airport use. Pam noted this was an important distinction between MCAC and these other organizations. Jerry firmly agreed and noted the adversarial role of the MCAC in certain situations.

A question was raised by Jerry Falbo as to whether MBTA board members are state employees. Mr. Lynch will follow-up on this for both organizations.

Members discussed MWRA funding and the ability to fund to any level as requested and approved. Pam noted the connection of the MWRA advisory board to the MWRA. Discussion of being tied to the organization as opposed to the legislature. Wig noted that the MWRA is an outgrowth of the federal litigation surrounding the clean-up of Boston Harbor. Discussion of establishing independence while still having sufficient funding to operate. Jennifer Dopazo Gilbert noted the importance of having some independent authority, which she believes the statute currently provides.

Members discussed increasing funding through statutory amendment with opportunity to increase funds in any given year for special projects.

There was further discussion of the adversarial nature of the MCAC and MPA and users of the service as opposed to those "on the ground".

Myron noted it is important to discuss how to pay the Executive Director and who they work for and how they get benefits.

Mr. Lynch provided the job descriptions and general benefits of the Executive Directors of the MBTA and MWRA Advisory Boards. Members asked questions and discussed their vision of the Executive Director role.

Pam asked about populations served to build a case for more funding. She questioned the scale of service and representation. Wig believes they are similar and MWRA's scope is smaller than the MBTA and MPA.

Discussion of operating budgets of MPA and MWRA and the scope of work and responsibilities of the MCAC. Wig noted the technical assistance that is required to have an impact.

Mr. Lynch suggested salary range for a full-time Executive Director at \$120-150,000. Myron noted the importance of the benefits package. There was some discussion on the field of candidates with respect to the State pension system.

Members discussed benefits and pool of candidates depending on where the person resides and where the issues of indemnity and pension fall.

David asked for action to allow Jennifer Gilbert to work with Mr. Lynch on the issues surrounding the Executive Director and indemnity. Dave also noted that he asked Liz Becker from MPA to provide feedback on these issues.

Pam made a motion to authorize Jennifer Dopazo Gilbert, MCAC counsel to work with Mr. Lynch to determine options for structuring the position as well as parameters for achieving protections from liability; operational issues including the status as an organization and independent status. Seconded by Dave, voted 6 in favor, Jerry abstained and noted his disagreement that the position fall under the MPA.

Myron noted the time sensitivity of the matter and asked for another meeting within two weeks. Jerry noted the need for a larger budget if the position is not under MPA. Dave noted this amendment could be tagged on the Transportation budget. Members reviewed legislative representatives who may assist with the amendment.

Dave noted that he is meeting with his State Representative this afternoon. Members discussed the need to amend the legislation sooner rather than later. Schedule of the legislation and tagging on to a budget amendment. There was some further discussion on reaching out to legislators.

Myron noted that the MWRA Board is under the umbrella of the MWRA and the MBTA is not under the same umbrella.

Mr. Lynch asked members why do you want an Executive Director ?

Wig noted political skills and presentations. Ability to deal with community emotion. There must be technical ability either individually or through consultants.

Jerry said it may be hard to find all 3 attributes so the budget must be increased for consultant expertise.

Dave believes communication skills are paramount.

Pam noted that the person should be able to engage with all members of the community.

Dave noted the importance of being able to reach out to build relationships and alliances.

Myron wants to look at 3 attributes as follows:

1. Administrative/Executive

Budget and management

2. Policy/Political

Local, state and federal

Communication skills

Community voices

3. Technical.

Environmental and Noise

Aviation

Members discussed time management and percentage of focus in each area.

There was discussion of the scope and breadth of MPA operations, impact on communities, real estate, port operations, traffic and aviation.

Wig noted an example in Los Angeles where trucking routes and port issues were addressed to protect the industry and economy. Wig noted academics are not so engaged in this area.

Dave noted the problems in the Seaport business sector with the MPA port operations and the problems with trucking.

There was further discussion of goals and objectives of the MCAC in light of the statute and the MCAC goals and objectives.

Neil departed at 12:15 pm

4. Fiscal Year 2018 Budget Discussion

Myron discussed the FY 18 budget and the need for the EC to approve it prior to the June 8th MCAC meeting.

He noted that the EC is incurring legal and administrative services above the estimated amount. This budget line item may have to be increased going forward. He noted the budget exercise is to discuss submitting a budget within the \$250,000 including the hiring of an Executive Director. Members discussed the budget worksheet.

Myron noted the costs of insurance for Directors and Officers liability at \$6,000. Myron discussed the \$35,000 for MPA administrative services. Myron discussed the FY 19 budget and potential of \$500,000 with consultants budget included.

Wig and Maura noted a concern that the budget must include technical and general consulting. There was general consensus that an appropriate budget for FY19 would be \$500,000.

Pam departed at 12:25 p.m. There was still a quorum present.

Discussion of rolling over funds and GAP accounting principles. Dave discussed MPA revenues and expenses of MPA and the obligation of MPA to pay for the big dig roads under the bonds.

5. Amendment to Aviation Sub-Com Charge

Review of further amendment to charge. Ralph Dormitzer requested further changes in order to permit the Aviation Sub-Com to make information requests of MPA and the FAA directly.

Maura made a motion to accept the charge as amended, Wig second and the EC voted unanimously to adopt the charge as amended. It will be sent in final form to Ralph and posted on the MCAC web.

There was further discussion on the charge and the fact that Item B.2. in the charge was now moot.

Further Motion made by Myron seconded by Maura to further amend to delete B.2 as to recommendations to the full MCAC, because it is now moot since the MCAC adopted the recommendations at its last meeting; and further to include BLANS as the new item B.2 in topics to be addressed in order to review the final outcome of BLANS in conjunction with the Executive Committee and Environmental and Health Sub-Committee, and to make any recommendations

on future opportunities related to BLANS. The vote was unanimous to approve the further amendments to the charge.

Wig is concerned with making this recommendation and vote, because every member should have an opportunity to participate. Myron and Maura noted they are public meetings and all can attend and speak.

Further discussion on Wig's concern and comprehensive discussion on the framework on how to report on BLANS in June and September.

6. Update on Environmental & Health Sub-Committee

Wig gave an update. Bill Deignan proposed writing a letter about parking. This type of letter may be sent out to local communities to sign on. Maura noted the responses are due next week on April 25th. Maura attended the scoping session. Wig handed out a Herald article on the Logan parking plan dated 4/21/17.

7. Website Update

Dave updated the members on progress and flexibility to alert members and sign-on for updates.

Myron wants to link the agenda to a calendar date for meetings.

8. Correspondence

Milton request by Cindy Christiansen via email and handed out at the 3/9 meeting with respect to the AEDT software and list of elements programmed in and report and flaws etc.

Discussion on the software and request.

Wig noted that this won't help because the flaws are found in AEDT 2. Discussion on the AEDT and the software flaws which skewed the results. Discussion of prior updates from Flavio on this issue.

Wig departed at 1:05 p.m. quorum still present.

Motion to forward the request for information contained in Cindy's 3/9/17 email item #2 to MPA by delivering it to Anthony Gallagher and requesting him to deliver to MPA for proper response. Motion made by Maura seconded by Jerry unanimously approved. The 3/9 email request was handed to Anthony Gallagher with instructions as the representative for MPA present at the meeting.

Wig returned at 1:10 and Maura departed.

Discussion on the Milton Test Plan Proposal which was submitted to the Aviation Sub-Committee Chair.

9. New Business

Discussion on draft policies and procedures with respect to conduct of business and submitting proposals.

10. Adjournment

Motion to adjourn by Jerry at 1:20 second by Dave unanimous approval to adjourn.

DOCUMENTS:

- Draft Minutes of the EC meetings of 2/14/17 and 3/9/17
- House Bill # 3457
- Draft Aviation Sub-Com Charge
- FY 18 Budget with Cover Sheet and Monthly Expenses Worksheet
- Milton Test Plan Proposal (7 pages total) plus 4 letters in support from Congressional delegation, Legislative delegation; Randolph Commissioner of Public Health and Canton Town Planner
- Cindy Christiansen email RE: requests made on 3/9/17 (AEDT software)
- Draft Policies and Procedures for Conducting Business and Submitting Proposals
- Massport CAC Executive Director Search – Preliminary Research by B. Lynch, April 21, 2017 with 8 exhibits.
- Herald Article dated 4/21/17

Minutes By: Julie Lacy
APPROVED ON : May 10, 2017