

Minutes

Executive Committee of the Massport Community Advisory Committee

May 23, 2017

Location: Town Hall, Town of Brookline

Time: 11:30 a.m.

Executive Committee Members Present: Dave Carlon, Neil Wishinsky, Myron Kassaraba, Wig Zamore
Maura Zlody and Jerry Falbo

Massport officials present: Anthony Gallagher

Others: Bernard Lynch, Julie Lacy and Jennifer Dopazo Gilbert, Esq.

Member Participating remotely by phone: Pam Hill

The Chair called the meeting to order and announced that due to her geographic location and inability to travel to the meeting, Pam Hill would be participating remotely by phone.

1. Public Comment

None.

2. Minutes

Members reviewed the March 9, 2017 minutes of the MCAC.

Changes were proposed by Maura Zlody to correct that the member Claudia is from "East Boston" and that the Record of Decision was 2007 not 2017.

Myron provided Julie with changes regarding his questions about flight capacity to Mr. Leo.

Motion to recommend the minutes as amended to the MCAC by Maura second by Myron unanimous vote all members voting in favor.

Members discussed the May 10, 2017 draft Executive Committee minutes.

Jerry wanted his budget comment to reflect \$500,000 for 2018 not 2019; and submission to MPA not MCAC; and then to ask MPA to approve the budget not the state.

Wig wants to be sure to look that other expenditures includes expenditures for consultants in the future.

Pam noted at the bottom of page 1 the role of the Executive Director with respect to the regional nature of the MCAC and at page 4, Pam queried the reporting requirement and the

MCAC's role in reporting. She clarified the connection between the Aviation Subcommittee and environmental issues, under Item #10, top of page 5.

Myron provided amendments to his portion to Julie.

A motion was made by Dave to accept as amended, seconded by Neil all members voted in favor (Maura did not vote she stepped out for a call).

3. Discussion with Bernard Lynch, Community Paradigm Associates, regarding role and responsibility of the Executive Director.

Discussion of job description as updated by Mr. Lynch. Members discussed the description and the 7 years of experience. There was general consensus that 7 years was adequate but there should be some flexibility of education requirements. Members discussed some stylistic changes; adding a header/title and grammar and numbering pages.

Pam noted that the profile should refer to the Director having the ability to interact with citizens not just officials. Pam also wants to change the word passion in the profile to "strong commitment".

Wig noted that the person must be self-motivated, because the entities the committee has been looking at have parallel roles (MBTA and MWRA advisory boards) and the role of the MCAC is more adversarial. The MCAC role and hence the role of the director is based on the impact of operations and not so much the quality of services provided.

Myron suggested language for the profile: "willingness to dig into details for complex issues and seek clarity and solutions."

Pam noted the profile should better track the job description.

Members commented that the salary still needs to be set. Members discussed talents and requirements and possible benefits. Salary range of \$120-130,000 discussed. There was a general consensus that it should be \$125,000 plus benefits.

The process to hire was discussed and there was a consensus that the committee should ask the MCAC to delegate the final hiring decision to the Executive Committee after the search committee does its work.

Bernard Lynch recommended a specific process with a search committee that would meet in executive session to review applications and conduct preliminary interviews and then a public meeting to interview final candidates. The search committee would have the final candidates interviewed in an open meeting and at that time the MCAC members could join and participate in the meeting. The search committee would then recommend finalists to the Executive Committee who could upon delegation from the MCAC make the final decision. There was

some discussion on who would make up the search committee. Mr. Lynch recommended the Vice Chair, and the Chairs of the 2 subcommittees as well as counsel.

Dave made a motion to accept the process outlined by Mr. Lynch and to recommend to the MCAC that they adopt the process and authorize the Executive Committee to so proceed. Second by Neil Wishinsky, unanimous vote all members voting in favor.

Dave discussed the various documents that will be sent to the MCAC for the June meeting and creating a Power Point presentation so that members have all the information they need.

4. Enabling Act and Amendment Process

Members discussed the process to amend the Enabling Act at the State House.

Jennifer Dopazo Gilbert handed out a draft of the proposed amendments to the Act which takes into consideration discussion and comments at prior meetings. Members discussed the draft document. There was general consensus to the content and Wig asked for the words “technical assistance” to be added expressly as an expense.

Members generally agreed to move forward with Wig’s one change and Jennifer made note of it.

Jerry discussed the fact that John Nucci was not reappointed to the MCAC, but he still continues on as the MPA Board member. He suggested that language be added to the proposed amendment to address this issue?

Pam noted that John Nucci got appointed, because he was a member of the MCAC and it is peculiar that he is no longer an MCAC member and still continues on as a Board member.

There was a discussion on the ambiguity of the language surrounding the appointee to the Board of Directors of MPA. Dave and Myron both stated that this was discussed at the outset and it was pointed out that the field of candidates would be too narrow if the appointee could only be a member from one of 3 communities.

Neil made a motion to recommend to the MCAC filing the 2 amendments to the Act to reduce the quorum requirement to 15 and change the funding language with the addition of the technical assistance language requested by Wig. The motion was seconded by Neil. Voting in favor was Neil, Dave, Jerry, Wig , Maura and Myron. Pam abstained.

5. FY18 Budget discussion

Discussion of Monthly Expense sheet handed out by Myron with a \$500k pro forma budget proposed. Members discussed the comparative analysis of employee benefits to MBTA and MWRA advisory boards.

Discussion on details of FY18 proposed budget. Myron noted the need to continue the administrative service agreement with MPA for some duration into FY18. He noted this should be an item for the June 8th meeting.

Discussion on 33% for employee benefits and whether that is sufficient. There was some discussion to increase it to 40%.

General consensus that it is justified to increase the budget to \$500,000 and the details were there to support the increase.

Dave asked Anthony Gallagher what further information he has on Boston appointments.

6. Update from Anthony Gallagher, MPA

MPA would like to be on the agenda for the June 8th meeting in order to update the CAC on the motions that were forwarded to MPA from the CAC in March.

On the Vortex generator there has been work to identify the planes and the fleet metrics. Spirit, Southwest and Jet Blue are on the list.

MPA has looked at other Fly Quiet programs; Charlotte, Chicago and San Francisco. MPA will report on technical capabilities and reporting suggestions.

MPA has reviewed the ROD of 2007 and the related data. In terms of airspace this is an FAA issue, but there will be further updates.

Noise Based Landing Fee remains in the purview of legal and where that idea has been implemented and how that has worked. As for the community complaint process – MPA has a structure and wants input from MCAC as to what is a community complaint as opposed to a member complaint? Is it the appointing authority or is it a member? People use different hats and this is a problem for MPA, because it is not an efficient way to respond and duplicate efforts. MPA needs to identify the internal routing process and where each complaint goes. There must be an internal structure to route the complaints appropriately. The complaint should come through the representative to Anthony and then he can route it accordingly.

Wig asked whether the MCAC has a way to track the complaints that come through to MPA.

Dave stated this was discussed and we need a document to track requests to MPA both for requests and complaints. The committee talked about a formal process as to when an appointing authority makes a request to MCAC and then MCAC reports it to MPA.

Myron stated that there must be a process for how issues can be brought to Massport by a Community. Myron provided an example where he received a complaint that involved safety, and he should be able to go direct to MPA with something involving safety. Myron thinks that when communities go direct to MPA that MCAC should know about it when they do. Dave noted the requests that include flight patterns changing to go direct over another community should come to the MCAC so that all members are informed.

Anthony discussed the types of complaints and requests that MPA gets from communities. He discussed construction on 4R and increase use of 33L and the resulting complaints.

A simpler and clearer process is needed said Wig.

Maura noted that the complaint process at MPA doesn't count a complaint that only includes an address and not a name. MPA is undercounting the complaints, because they aren't counting all complaints.

Myron noted that MPA gets fraudulent complaints and so they have a policy to match name and phone number with a valid address. Anthony said a response is also required so that information is needed in order to respond. People try to game the system. Wig noted the similar problem in Chicago.

Dave noted he will follow-up to determine the MPA presentation at the June 8th meeting.

7. Update on Liability Insurance

The insurance process is going well and Myron noted that he is just waiting to get the invoices from Jim Evans and then submit to MPA. Dave wants it done by the June 8th meeting.

8. Discussion on Policies and Procedures

Discussion on Jennifer's draft policy to submit resolutions or motions for consideration by the MCAC or its subcommittees. General consensus to submit the policy to the MCAC for adoption at the June 8th meeting.

9. Agenda items for June 8th

Members discussed meeting at Logan. Discussion of the agenda items and the time frames. Further discussion on MPA report to the full MCAC and updates on the RNAV process; including timelines and milestones; and reporting and communication opportunities. There was a suggestion by Jennifer to add an agenda item on MPA action items at the end of each EC meeting in order to better track MPA responses and timelines.

Maura asked for a new member introduction item. Maura asked Dave to ask John Nucci to tell the MCAC about what votes he has had to recuse himself from and whether his not being an MCAC member played a role in this.

Dave went over the agenda items for June 8th. Members discussed the BLANS agenda item and the full participation and process that will be required to study.

There was general consensus that the EC, the full membership and all sub-committees should vet the BLANS .. Dave provided clarification to Myron's question – noting that members will be able to comment at the sub-committee meetings . Wig suggested a joint meeting to gather comments on the BLANS.

General consensus is that the process should involve all 3 sub-committees (Executive, Aviation and Environmental) taking comment and feedback from all interested parties.

10. Update on Aviation Operations Sub-Committee.

None.

11. Update on Environmental Sub-Com

Wig provided an update on three current formal environmental reviews. MEPA published the whole 103 comments that he submitted. There was no comment on the garage on East Boston. Conservation Law Foundation/CLF has come up with a settlement direct with MPA. The next meeting will be about planning what the committee does. The meeting may be this Friday and then he will try to get more advance notice on further meetings to members. The noise question with Milton requires a call with Frank and maybe Flavio. Wig needs to understand the abilities and limitations of the noise monitors before he can address this. Wig asked for Anthony's help and Anthony said that Wig should just email him and Frank. Wig noted that the Aviation impacts conference has not been posted online but it is ready. There will be real health effects related to noise; hypertension and air pollution effecting health. The health impacts are more significant; the epidemiology is there at the higher dba levels of 60 or above.

Wig discussed the Schulz curve and the variable of how noise impacts different people. Wig stated that people should be getting coping mechanisms, especially those that are more sensitive; like white noise and soundproofing etc. There was some discussion on having the MCAC take this up at a future meeting.

12. Meeting Adjourned

A motion was made by Dave to adjourn, seconded by Neil and all members voting in favor.

Documents related to the meeting:

- Draft Minutes: EC 5-23-17 and MCAC 3-9-17
- Bernard Lynch Docs: job description, position profile, white paper and selection process
- Draft amendment to the Enabling Act

- 2 Budget docs from Treasurer; budget and pro forma budget
Minutes approved at the Executive Committee meeting on June 8, 2017.

Minutes prepared by Julie Lacy

APPROVED ON: June 8, 2017