



Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Stephanie Pollack, MassDOT Secretary & CEO  
Brian Shortsleeve, Chief Administrator and Acting General Manager



**Fiscal and Management Control Board  
Transportation Board Room  
10 Park Plaza  
Boston, MA**

**September 26, 2016  
MEETING MINUTES**

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**Present:** Chairman Joseph Aiello, Director Steven Poftak, Director Brian Lang, Director Lisa Calise, Director Monica Tibbits-Nutt

**Quorum Present:** Yes

**Others Present:** Brian Shortsleeve, John Englander, Mike Abramo, Mark Fuller, Owen Kane, Marie Breen, Jamey Tesler, Nathan Peyton, Jane O'Hern, Rob Garrity, Jody Ray, Brian Kane

**PROCEEDINGS:**

At the call of Chair Aiello, a meeting of the Fiscal and Management Control Board was called to order at 12:05 p.m. at the State Transportation Building, Transportation Board Room, 10 Park Plaza, Boston, Massachusetts.

Chair Aiello opened up the public comment session.

**The first speaker was Boston City Councilor Michelle Wu who was in favor of overnight service and disagreed with the cuts made to the cleaning contract.**

**The following speakers spoke in favor of overnight service and against privatization: Rep. Nick Collins; Rep. Jay Livingstone; Rep. Adrian Madaro; Rep. Denise Provost; Representative-Elect Mike Connolly and Chris Osgood- Chief of Streets for the City of Boston.**

**Also speaking in favor of overnight service were: Mark Ebuna- President of Transit Matters; Lee Matsueda- ACE and TRU; Raphael Mares- Vice President of CLF; Josh Ostroff- Interim Director-T4Mass; Kirstie Pecci- staff attorney at MassPIRG; Ellen Reisner- Somerville Transportation Equity Partnership; Jack Spence-350 Massachusetts; Wig Zamore- Citizen's Advisory Committee, Somerville; Josh Fairchild – Transit Matters; Sebastian Zapata- Alliance for Business Leadership; Travis-Emerson College student; a representative from Bridj Bus and Mela Miles-Greater Four Corners Action Coalition, who also commented on the commuter rail schedule.**

**Next, Paul Regan from the MBTA Advisory Board commented on FMCB proceedings, meeting agenda items and commuter rail schedules.**

**Next, Chairman Aiello asked Chief Operating Officer Jeffrey Gonneville to recognize Alexander Salipante, a 50-year employee who was retiring at the end of September. Mr. Gonneville invited Mr. Salipante to come before the**

**board to accept a proclamation from the Governor thanking him for the many years of commitment and service to the MBTA.**

**The Chair returned to the public comment session. Richard Prone, MBTA Advisory Board Representative from Duxbury, commented on Commuter Rail service.**

**The next three speakers, Roxana Rivera, Jose Fajardo and Jorge Rivera, all from 32BJ SEIU, spoke against the cuts to the cleaning contract. Also speaking against the cleaning service cuts were Nicolas Calderon (through an interpreter), Javier Olmo and Francisco Peva.**

**Next, Larry Kelly, Local 589 Delegate, spoke against privatization and said the Carmen's Union was still waiting to hear back from the MBTA on the union's proposal submitted to repair the system.**

**Next, Louise Baxter from TRU commented on the strategic plan, privatization and unsolicited proposals.**

**Next, Steven Kaiser commented on the strategic plan.**

**The last speaker, Andy Bagley from Mass Taxpayers Foundation commented on the operating budget.**

**Next, was the approval of the minutes of the meeting of September 19, 2016.**

**On motion duly made and seconded, it was;**

**VOTED: to approve the minutes of September 19, 2016.**

**Next, Brian Shortsleeve, Chief Administrator & Acting General Manager**

**updated the Board on its financial performance, along with recent projects and significant events, as set forth in the attached document labeled, “General Manager Remarks, FMCB-9/26/16.” Board members expressed concern about some comments that were made in the public comment session concerning the cleaning vendors. Discussion ensued.**

**Next, the Chair asked Chief Operating Officer Jeffrey Gonneville to give the COO report. Mr. Gonneville updated the Board on system performance and other related matters, as set forth in the attached document labeled, “COO Remarks, September 26, 2016.”**

**Next, Nathan Peyton, Deputy Chief of Staff, presented Agenda Item F, a review of upcoming FMCB agenda items, as set forth in the attached document labeled, “FMCB Schedule.” Discussion ensued.**

**The Chair deferred the next item, the Innovation Proposals Policy discussion and vote until the October 6, 2016 board meeting. Acting General Manager Brian Shortsleeve discussed the policy earlier in his earlier GM report, and Chairman Aiello asked the Board members to forward any comments they had to Owen Kane by September 29, 2016 to prepare for the vote to be taken on October 6.**

**Next, John Lozada, Director of Civil Rights and Manager of Federal Programs, presented the next item, the Wachusett Project Equity Analysis**

**Update and vote. Mr. Lozada provided an overview with respect to the equity analysis done under a FTA Tiger Grant, as set forth in the attached presentation labeled, “Equity Analysis Briefing on Fitchburg and Wachusett Commuter Rail Improvements.” Paul Hadley, Director of Commuter Rail in Design and Construction contributed to the presentation. Discussion ensued.**

**Next, on motion duly made and seconded, it was;**

**VOTED:**

**WHEREAS, the Fiscal and Management Control Board (the “FMCB”) voted on July 11, 2016 to execute an Amendment to a certain Interdepartmental Service Agreement (ISA) with the Massachusetts Department of Transportation (MassDOT) for the Wachusett Extension Project; and that the MBTA has conducted a Fitchburg Commuter Line Improvement project under an FTA Tiger grant;**

**WHEREAS, the Federal Transit Administration requires that equity analyses be conducted on major service changes as defined by the MBTA and on Small Starts and other New Fixed Guideway Systems grants;**

**WHEREAS, the MBTA staff has conducted an equity analysis as to the Fitchburg project and determined that said project poses neither a disparate impact or disproportionate burden to minorities or low-income individuals;**

**WHEREAS, the MBTA staff has conducted an equity analysis as to the Wachusett project and determined that said project may pose a disparate impact but does not pose a disproportionate burden to minorities or low-income individuals;**

**WHEREAS, the MBTA’s equity analysis provided a showing of a substantial legitimate justification the Wachusett service change and there are no alternatives that would have a less disparate impact on minority riders;**

**NOW, THEREFORE, BE IT VOTED by the members of the FMCB, as follows:**

**The FMCB hereby accepts the Title VI Equity Analysis determinations and directs the Authority, through the General Manager to take all steps necessary to provide notice of such acceptance to all interested parties, including the Federal Transit Authority.**

**Next, Chair Aiello asked Bill Wolfgang, Director of Vehicle Engineering, to present Agenda Item I, an extension of engineering services for Green Line Type 7 selective systems overhaul. Mr. Wolfgang was requesting authorization to execute a contract extension with CH2M Hill Inc. for continued engineering service in support of additional scope of work for an estimated no-to-exceed amount of \$4,088,533, as set forth in the attached documents labeled "Green Line Type 7 Engineering Services, September 26, 2016." Discussion ensued. The Board approved the extension contingent upon getting more information regarding the amendments to the contract.**

**On motion duly made and seconded, it was;**

**VOTED:**

**That the Fiscal and Management Control Board (FMCB) hereby authorizes the Acting General Manger or his designee, to award and execute in the name and on behalf of the Massachusetts Bay Transportation Authority, and in a form approved by General Counsel, Amendment #6 to Formal Contract No. V40PS01 with CH2M Hill Inc. in an amount not to exceed \$4,088,533.00, to provide necessary Engineering Services in support of the Selective Systems Overhaul of the Green Line Type 7 and Red Line No. 2 Vehicles.**

**FURTHER VOTED: that Authority staff shall provide additional information concerning this contract amendment to the FCMB as requested at the meeting.**

**Next, Chair Aiello began the discussion of the development of the strategic plan by providing an overview and an explanation for the need of a plan and introduced consultant Jane O'Hern to present it. Ms. O'Hern provided the Board with the update of the strategic plan development, as set forth in the attached presentation labeled, "Strategic Planning Update, FMCB, September 26, 2016." Discussion ensued.**

**Next, Agenda Item K, was a discussion of overnight service. Brian Kane, Director of Operations Analysis, began the dialogue by giving the Board an overview of the recent history of extended service hours, as set forth in the attached presentation labeled "Extended Service Hours, FMCB Discussion, September 26, 2016." Discussion ensued.**

**Next, the Chair asked Jody Ray, Assistant General Manager for Railroad Operations to present Agenda Item L, Commuter Rail Schedule. Mr. Ray led the dialogue of proposed changes to the commuter rail schedule, as set forth in the attached presentation labeled, "Commuter Rail Schedule Changes – Proposed November 7, 2016, FMCB 9/26/16." Discussion ensued.**

**On motion duly made and seconded, it was by roll call**

**Director Aiello                      Yes**

**Director Lang                        Yes**

**Director Calise                      Yes**

**Director Poftak                      Yes**

**Director Tibbits-Nutt              Yes**

**VOTED:**

**To enter into Executive Session for a discussion of strategy related to non-union personnel, collective bargaining, real estate and litigation at 3:26 p.m.**

**Documents relied upon for this meeting:**

**Minutes of September 19, 2016**

**General Manager Remarks, FMCB-9/26/16**

**COO Remarks, September 26, 2016**

**FMCB Schedule**

**Equity Analysis Briefing on Fitchburg and Wachusett Commuter Rail Improvements**

**Green Line Type 7 Engineering Services, September 26, 2016**

**Strategic Planning Update, FMCB, September 26, 2016Extended Service Hours, FMCB Discussion, September 26, 2016Commuter Rail Schedule Changes – Proposed November 7, 2016, FMCB 9/26/16**