



MINUTES of 6/18/2015 ADVISORY BOARD MEETING

ATTENDANCE

Name

Representing

PRESENT

William Lehtola
Mark Binnall
Doug Belanger
Kelly Burke
Dennis Lipka
John Ostrosky
Jacob Sanders

Spencer
Auburn
Leicester
Northborough
Holden
Shrewsbury
Worcester

ABSENT

Leon Gaumond Jr.
Alyssa Graveson
Rudy Heller
Nancy Lucien
Timothy McInerney
Kevin Mizikar
Daniel Morgado
Michael Pantos
David Schiller
Robert Spain
Jarrett Conner
Luz Vega
Michael Ward
Sharon Yager

Sturbridge
Douglas
Brookfield
West Boylston
Grafton
Grafton
Shrewsbury
Rutland
Charlton
Millbury
Worcester
Regional Ridership
Clinton
Shrewsbury

1. Chairman Lehtola called the meeting to order at 8:30 a.m.

2. **Attendance**

3. Acceptance of Minutes

- Mr. Lehtola asked for a motion to accept the minutes for May 21, 2015.
- **Motion: I move the board accept the minutes of May 21, 2015.** Mr. Lipka made the motion and Mr. Binnall seconded. Mr. Ostrosky abstained. All other board members voted in favor. The motion was accepted.
- Ms. Burke entered the meeting at 8:38 a.m.

Mr. Lehtola asked for the elections of officers for FY `16 be presented. Mr. Belanger called for a motion to elect the following board members to the positions listed: Chairperson Mr. Lehtola, Vice-Chairperson Mr. Augustus, Clerk Mr. Lipka and Treasurer Mr. Belanger.

- **Motion: I move the board move to elect the officers as presented to the board.** Mr. Belanger made the motion and Mr. Binnall seconded. All other board members voted in favor. The motion was accepted.

4. Business from the Public

- Mr. Lehtola called for any business from the public and no one responded.

5. Business from the Board

- Mr. Binnall asked why the town representatives to the board appear to have a declining attendance. Mr. Lehtola then asked if the administration had sent any notices to other board members. Mr. O'Neil replied Elizabeth and I have been contacting board members and that is why Kelly and Doug are here today. Mr. Belanger suggested having a site tour during a board meeting. He indicated this may inspire people to be more active as they see the activities happening. He also stated when things run smoothly people are not as inclined to be involved. Mr. Belanger informed the chairman he would offer other suggestions for participation. Mr. Ostrosky asked why community representatives do not attend. Mr. O'Neil replied some communities are served by very small COAs and they may not always recognize that we are funding them or they simply choose not to participate. Mr. O'Neil commented they have reached out to the towns regarding participation and agreed with having a site tour. Mr. Belanger then added a letter to each board of selectmen as a reminder they have a say in service may be helpful.

6. Administrator Report

- Mr. O'Neil introduced Mr. Lawson of CDR McGuire, WRTA's project manager for the 42 Quinsigamond Ave. project. Mr. Lawson gave an update on the building and foundation work thus far. Mr. Lawson explained Skanska is working to keep the July

2016 completion date. They are finalizing the paperwork and now have fifty-five (55%) percent of the concrete foundation in. Mr. Lawson stated a substantial portion of all the coal tar has been removed and we are focusing on areas we know need further review. We will then start the joint venture with Eversource to clean the tank foundation holder that straddles the WRTA property. The cost for clean-up of this tank will be split fifty-fifty. Mr. Lawson explained the end of June goal is still on schedule for the completion of the guaranteed maximum price (GMP). When completed, a contract will be signed with Skanska. This will give Mr. O'Neil the final numbers for the construction costs. Additionally, we are working with Quinsigamond Community College to take some of their surplus soil to use as backfill on our site.

- Mr. Lawson explained Skanska will start the masonry work this week for the wall separating the storage area from the maintenance bays and office areas. The steel work for the building is scheduled for August. This schedule will give us at least two (2) walls built by August. Our goal is to have the maintenance area which is approximately 1/3 of the building, weather tight by December 2015. This will allow for us to do the majority of the interior work during the winter months. Mr. Lehtola asked what the siding for the building was to be made of. Mr. Lawson replied it will be metal similar to the siding that is on the WPI building on Grove Street. Mr. Lawson explained it basically comes in sheets that assemble well and are very economical. The building colors will be two (2) tints of blue with an accent band. Mr. Lehtola asked about fading and Mr. Lawson replied the fading is minimal and it can be repainted.
- Mr. Belanger offered again the suggestion of a site tour given that a lot of the work will be visible and therefore have an excitement factor. He recommended a way to encourage people to participate and educate the board is to see first-hand the progress. Mr. Lawson interjected August would be a good time given the steel and masonry work being done as well as the finishing of the foundation. Mr. Lehtola suggested August for the site tour and Mr. O'Neil agreed.
- Mr. O'Neil stated when we get the GMP we will be able to start the process for borrowing. We will borrow the difference between the GMP and our available money. Once we know the purchase price for the Grove Street sale our figures will become more concrete. Mr. O'Neil informed the board the borrowing will be against our future 5307 monies not out of operational monies.
- Mr. O'Neil informed the board he has asked the WRTA attorney, Mr. Reich, to speak briefly about an issue pertaining to 42 Quinsigamond Ave site. He informed the board a letter was issued from the DEP to Eversource pertaining to activities of environmental compliance and it will need to be addressed. Due to this factor the WRTA would need to employ the services of Kopelman and Paige. Any specific discussion of the issues would require an executive session. Mr. O'Neil stated he did not want to place an additional executive session on June's agenda as there were already two (2) and there wasn't enough time to properly advertise the meeting. He recommended the board consider July's meeting for an executive session.

- Attorney Reich stated the notice that we receive at the end of May entitled "invalid RAO notice of noncompliance" informed Eversource of the issues that were discovered based upon excavation work that's being done by the WRTA. The letter indicated certain asbestos-containing materials and that some of the coal tar was not properly characterized in the RAO originally submitted by Eversource to the DEP. This factor resulted in the DEP determining that the RAO was not proper, as it did not properly calculate the risks at the site or the risk to the public's health. Attorney Reich informed the board that the notice itself talks about two separate properties: the WRTA property and the Eversource property. The notice then provided a list of activities Eversource is required to do on their property only. While the RAO (1997) that's being validated addresses the entire site because they owned it in its entirety then. Right now this order is directed to Eversource on their property as owned today.
- The WRTA has been addressing the tank containing coal tar which was the subject of a printed article in the newspaper. We have issued an email to Eversource indicating while we are in agreement with the fifty (50%) fifty (50%) cost share, we reserved all our rights including all rights to come back to them in respect to the subject matter of this notice of compliance. Attorney Reich reminded the board how they came to choose this arrangement as a matter to expedite the process due to the necessary access needed to their property for the clean-up. We wanted to do this cooperatively.
- A review of their response would start us into further discussions, so I will leave it for the future executive session. As you may remember we had very limited bargaining with respect to the purchase and sale. There is, however, certain language that adds to our ability to rely upon documents that were filed with the DEP and we did rely upon those documents to coincide with our due diligence on the site. There were also certainly warranties in respect to those documents giving us further rise to certain rights depending upon the conditions. Attorney Reich stated we need to explore these factors with the DEP and with the WRTA's own LSP the issues raised in this notice and how they apply to the WRTA site as opposed to the Eversource property. So, I think that's pretty much where we are right now. In a future meeting we would be discussing some of the more specific aspects of this. Mr. Lehtola then stated the executive session regarding this matter could be placed in the July's board meeting and board members agreed.
- Mr. O'Neil asked the chairman if the board would be voting next to move to executive session. Mr. Lehtola indicated the board would be doing so.

7. Executive Session - The board went out of open meeting at 8:49 a.m.

- In open session, the Board voted to meet in executive session for the purpose to discuss strategy with respect to the sale of real property at 287 Grove Street and to discuss strategy with respect to collective bargaining. The motion for this action was as follows:
- **Motion: I move the Board meet in executive session for the purpose of discussing and considering the sale of real property at 287 Grove Street and for the purpose of discussing strategy with respect to collective**

bargaining as a discussion in open session would considerably be detrimental to the position of the WRTA with the Board returning to open session and then to adjournment. A roll call vote was taken to allow the executive session meeting.

- **Mr. Belanger made the motion and Mr. Lipka seconded.** A roll call vote was taken to approve this action: 8:52 a.m.

Kelly Burke	yes
John Ostrosky	yes
Mark Binnall	yes
Jacob Sanders	yes
Doug Belanger	yes
Dennis Lipka	yes
William Lehtola	yes

- Mr. Belanger left the executive session and thereby the board meeting at 9:40 a.m.
- The Board Members went into open session meeting at 9:45 a.m.

8. Adjournment

- Mr. Lehtola asked for a motion to adjourn.
- **Motion: I move the board adjourn. Mr. Lipka motion to adjourn and Mr. Sanders seconded.** All voted in favor and the motion to adjourn was accepted. The meeting adjourned at 9:48 a.m.

9. Next Meeting Date

- The next board meeting will be on July 16, 2015 at 8:30 a.m., located at the hub 60 Foster Street, Worcester, MA 01608 3rd floor.