



Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Stephanie Pollack, MassDOT Secretary & CEO  
Steve Poftak, General Manager



## **Fiscal and Management Control Board**

**Transportation Board Room**

**10 Park Plaza**

**March 23, 2020**

**11:00 a.m.**

### ***MEETING MINUTES***

**Present Remotely Chair Joseph Aiello, Director Monica Tibbits-Nutt, Director Chrystal Kornegay and Director Brian Lang**

**Quorum Present: Yes**

**MassDOT Board Members Participating in the Joint Portion:**

**Secretary Stephanie Pollack, Director Dean Mazarella, Director Joseph Sullivan, Director Betsy Taylor, Director Robert Moylan, Director Monica Tibbits-Nutt, Director Chrystal Kornegay, Director Kathleen Murtagh, Director Tim King and Director Vanessa Otero**

**Others Present or Participating:**

**General Manager Poftak, Marie Breen, Owen Kane, Mary Ann O'Hara, Pat Landers, David Pottier, Scott Bosworth, John McCormack, Erik Scheier, and Leo Murphy**

At the call of Chair Joseph Aiello, a meeting of the Fiscal and Management Control Board (FMCB) was called to order at 12:40 p.m. at the State Transportation Building, Transportation Board Room, 10 Park Plaza, Boston, Massachusetts joining the MassDOT Board of Directors (Board) meeting for Joint Board presentations.

**Massachusetts Bay Transportation Authority**

**Ten Park Plaza, Boston, MA 02116**

**[www.mbta.com](http://www.mbta.com)**

Board Counsel called the roll of the FMCB Directors present:

**Director Tibbits-Nutt**      **Yes**

**Director Kornegay**      **Yes**

**Chair Aiello**      **Yes**

Chair Pollack called upon Chair Aiello to present Agenda Item 10, the Report from the Fiscal and Management Control Board. Chair Aiello highlighted a few of the highest priorities and developments from its two previous meetings.

At the February 24, 2020 meeting the FMCB heard a presentation on the FY21 Operating Budget and requested a follow-up presentation with more detail. The FMCB also heard an overview on sources and programs for the FY21-26 Capital Investment Plan, and updates on Commuter Rail performance, fare transformation, means-tested fares, the bus network design, and approved a contract for the MBTA's acquisition of ownership of the Milford Secondary Line.

During the March 9, 2020 meeting, the FMCB received the requested follow-up presentation on the FY21 Operating Budget and voted to submit the preliminary budget to the MBTA Advisory Board for their review. Chair Aiello noted General Manager Poftak would be discussing the direction of the FY21 budget going forward due to the current pandemic situation. The FMCB also heard a presentation on the findings of the Commuter Rail Zone Study commissioned by the Legislature;

approved an amendment to a contract to provide technical support services for the Positive Train Control System; and approved a contract to provide on-call construction services for the Green Line Track IV on the B & C Branches.

Chair Pollack noted Agenda Item 11, an update on the Capital Investment Plan, would not be presented as it was discussed at the Capital Programs Committee held immediately prior to this meeting, and in the interest of keeping a quorum of the FMCB moved to the next agenda item.

Chair Pollack called on Scott Bosworth, Undersecretary and Chief Strategic Officer to present Agenda Item 12, a discussion of Parcel 12. Mr. Bosworth was accompanied on the phone with Administrator of Real Estate Mark Boyle, who had spent many years working on the project. Mr. Bosworth provided an overview of the project and said that today the Board was being asked to approve the financial terms of a deal to lease land and air rights for Parcel 12, 1.81 acres over I-90 where a 12-story building would be erected. Mr. Bosworth said the project includes offices, a hotel and retail space, transportation improvements and other public benefits, and noted the designated developer was Samuels & Associates.

Mr. Bosworth next discussed the financial terms. Chair Pollack noted that as the project proceeded more updates would be made available to the Board. Discussion ensued on project value costs versus net construction costs during the current public health emergency crisis.

General Counsel Marie Breen discussed the key terms of the contract as it related to protection to MassDOT if the project was sidelined.

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

**Director Taylor                      Yes**

**Director Murtagh                      Yes**

**Director King                      Yes**

**Director Tibbits-Nutt                      Yes**

**Director Kornegay                      Yes**

**Director Moylan                      Yes**

**Director Otero                      Yes**

**Director Mazarella                      Yes**

**Director Sullivan                      Yes**

**Chair Pollack                      Yes**

**VOTED:**

**That the Secretary of Transportation be, and hereby is, authorized in the name of and on behalf of the Massachusetts Department of Transportation, to: (a) negotiate and execute a 99-year lease of land and air rights within Massachusetts Turnpike Parcel 12 with S&A P-12 Property LLC, or its approved designee, for the construction of a mixed-use commercial hotel, office, retail, and restaurant development within Parcel 12 (the “Development”); (b) enter into such lease and any other necessary documents on such terms and conditions as the Secretary of Transportation and General Counsel deem necessary and/or advisable; and (c) take any and all actions necessary and/or advisable to effectuate the foregoing consistent with the attached Term Sheet**

**Attachment A – Parcel 12 Key Terms March 23, 2020**

**Key Terms for Proposed Air Rights Lease Agreement  
between  
Massachusetts Department of Transportation (MassDOT)  
and  
S&A P-12 Property LLC (Tenant)  
Pertaining to the Lease of  
Massachusetts Turnpike Air Rights Parcel 12 – Intersection of  
Massachusetts Avenue, Boylston Street, and Newbury Street, Boston,  
Massachusetts (Property)**

**Landlord: Massachusetts Department of Transportation**

**Tenant: S&A P-12 Property LLC, or its approved designee**

**Term: 99 years from the date of execution of the lease.**

**Property: The land and air rights measuring approximately 78,969 square feet in area, located west of Massachusetts Avenue, south of the Newbury Street Extension, and**

north of Boylston Street, portions of which are over the Turnpike Extension and rail tracks.

**Development:** Buildings, improvements and facilities to be constructed on the Property, consisting of approximately 634,000 square feet of gross floor area, including (i) approximately 55,000 square feet of retail/restaurant use within a two-story podium; (ii) approximately 429,000 square feet of commercial office use in an 18-story building above the podium; (iii) approximately 150,000 square feet of hotel use in an 11-story building above the podium; (iv) a parking garage containing approximately 150 parking spaces; and (v) a deck over the Turnpike Extension and rail tracks.

**Closing:** Not later than June 19, 2020 or such other date as approved by the Secretary.

**Consideration:** Rent

- (i) Rent Payment Due when Lease is Executed: \$5,300,000.00.
- (ii) Pre-Construction/Construction Rent: \$100,000 per year in quarterly payments commencing when Lease is executed and ending when first Certificate of Occupancy is issued.
- (iii) Payment Due when First Certificate of Occupancy is Issued: \$1,500,000.00
- (iv) Annual Base Rent: \$175,000 per year commencing when first Certificate of Occupancy is issued and ending at the end of the Lease term. Annual Base Rent increases 20% every 10 years.
- (v) Participation Rent: The following participation rent payments (each a "Participation Rent Payment") are due and payable:
  - (a) 1% of actual or appraised value less total costs of construction due upon earlier of sale or second refinancing, but in all events no later than 15 years after issuance of first Certificate of

**Occupancy (the “First Participation Rent Payment”).**

- (b) 0.5% of incremental increase in actual or appraised value since the previous Participation Rent Payment, due upon each subsequent sale or financing after the First Participation Rent Payment.**

**Construction,  
Tunnel Upgrades,  
and Traffic Mitigation:**

**Subject to, and as a precondition to executing the lease:**

- (i) Tenant to obtain all Development approvals, including, without limitation, all work and highway access permits and licenses and other approvals from MassDOT and MBTA, as applicable, and Tenant to obtain MassDOT’s and MBTA’s approval of all design documents, construction plans, construction management plans and construction schedules.**
- (ii) All construction sequencing, traffic management plans, lane closures, and construction staging and construction plans involving use of, or impact on, any MassDOT operations or facility to be subject to the approval by the Highway Administrator or his designee.**
- (iii) All construction sequencing, railroad closures, and construction staging and construction plans involving use of, or impact on, any commuter rail operation or MBTA facility to be subject to the approval by the General Manager or his designee.**
- (iv) MassDOT and MBTA work and access permits and licenses to be incorporated into the lease, and to include disincentive assessments for failure to comply with road and rail right-of-way closure timeframes, and Tenant’s failure to comply with the**

**terms of the MassDOT and MBTA work and access permits or licenses shall be an event of default under the lease.**

- (v) Tenant’s allocation of responsibility for the construction, maintenance and associated costs of lighting, life safety, fire protection, ventilation, communications, security, power and other systems and appurtenances to the deck being constructed over the Turnpike Extension and the railroad right-of-way and in connection with extensions to the Prudential Tunnel to be set forth in the lease.**

Chair Pollack noted that Agenda Item 13, MassDOT and MBTA Debt and Derivative/Swap Policies and Agenda Item 14, Issuance of Short-Term Debt by the MBTA required votes by both boards and were thoroughly discussed at the Finance and Audit Committee on March 18, 2020. Mr. Pottier discussed the changes in MassDOT’s Debt Policy and MassDOT’s Swap Policy, as set forth in the attached documents labeled, “MassDOT Debt Issuance and Management Policy, March 23, 2020” and “MassDOT Interest Rate Swap Management Policy, March 23, 2020.” Director Taylor recommended the Boards adopt all of the policies.

**On motion duly made and seconded by the MassDOT Board, it was by roll call:**

**Director Taylor                      Yes**

**Director Murtagh                      Yes**

**Director King                      Yes**



**Director Tibbits-Nutt      Yes**

**Director Kornegay      Yes**

**Director Moylan      Yes**

**Director Otero      Yes**

**Director Mazarella      Yes**

**Director Sullivan      Yes**

**Director Pollack      Yes**

**VOTED:**

**That the members of the Board of Directors of the Massachusetts Department of Transportation (“MassDOT”) hereby approve the MassDOT Interest Rate and Swap Management Policy as presented at this meeting.**

**On motion duly made and seconded by the MassDOT Board, it was by**

**roll call:**

**Director Taylor      Yes**

**Director Murtagh      Yes**

<b>Director King</b>	<b>Yes</b>
<b>Director Tibbits-Nutt</b>	<b>Yes</b>
<b>Director Kornegay</b>	<b>Yes</b>
<b>Director Moylan</b>	<b>Yes</b>
<b>Director Otero</b>	<b>Yes</b>
<b>Director Mazarella</b>	<b>Yes</b>
<b>Director Sullivan</b>	<b>Yes</b>
<b>Chair Pollack</b>	<b>Yes</b>

**VOTED:**

**That the members of the Board of Directors of the Massachusetts Department of Transportation (“MassDOT”) hereby approve the MassDOT Debt Issuance and Management Policy as presented at this meeting.**

Next, MBTA Treasurer Pat Landers provided an overview of the updated Master Derivatives Policy and reviewed the changes in concert with bond counsel and legal consultants.

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

**Director Tibbits-Nutt      Yes**

**Director Lang                Yes**

**Director Kornegay        Yes**

**Chair Aiello                Yes**

**VOTED:**

**That the members of the Fiscal and Management Control Board (the “FMCB”) hereby recommend to the Board of Directors of the Massachusetts Department of Transportation (“MassDOT”) approve the Master Derivatives Policy of the Massachusetts Bay Transportation Authority (the “MBTA”) in the form presented at this meeting.**

**On motion duly made and seconded by the MassDOT Board, it was by roll call:**

**Director Taylor            Yes**

**Director Murtagh        Yes**

**Director King             Yes**

**Director Tibbits-Nutt    Yes**

**Director Kornegay        Yes**

**Director Moylan         Yes**

**Director Otero**                      **Yes**

**Director Mazzarella**              **Yes**

**Director Sullivan**                 **Yes**

**Chair Pollack**                       **Yes**

**VOTED:**

**That the members of the Board of Directors of the Massachusetts Department of Transportation (“MassDOT”) accept the recommendation of the Fiscal and Management Control Board (the “FMCB”) and hereby reauthorize the Master Derivatives Policy of the Massachusetts Bay Transportation Authority in the form presented at this meeting.**

Chair Pollack next called on Mary Ann O’Hara, the MBTA’s Chief Financial Officer to present Agenda Item 14, the Issuance of Short-Term Debt by the MBTA. Ms. O’Hara, upon recommendation from financial advisor PRAG, was requesting authorization to approve a plan of finance for a bank loan or line of credit to provide short-term liquidity. Ms. O’Hara noted this was thoroughly discussed at the March 18, 2020 Finance and Audit Committee meeting and the Committee recommended it go before the Boards for approval.

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

**Director Tibbits-Nutt**              **Yes**

Director Lang                      Yes

Director Kornegay                Yes

Chair Aiello                        Yes

**VOTED:**

**That the members of the Fiscal and Management Control Board (the “FMCB”) hereby recommend to the Board of Directors of the Massachusetts Department of Transportation (“MassDOT”) that it:**

**Approve the Plans of Finance recommended by the MBTA’s financial advisor, Public Resources Advisory Group, in its memorandum presented herewith;**

**Authorize the issuance of up to \$200,000,000 aggregate principal amount of short-term notes, in one or more series (the “Notes”), as necessary to provide liquidity to the MBTA to meet expenses in light of reduced revenues resulting from actions taken in response to the COVID-19 pandemic, such Notes to be issued as Subordinated or Senior Sales Tax Bond Anticipation Notes pursuant to the Sales Tax Bond Trust Agreement, or as Assessment Bond Anticipation Notes pursuant to the Assessment Bond Trust Agreement, and, if necessary, one or more renewals thereof, such Notes to be repaid with revenues or the proceeds of long-term Sales Tax Bonds or Assessment Bonds, as applicable;**

**Authorize the General Manager, Chief Administrator, Chief Financial Officer and Treasurer, or any of them acting singly (each, an “Authorized Officer”), acting in the name and on behalf of the MBTA, to execute and delivery of one or more Supplemental Trust Agreements providing for the issuance of the Notes, in such form as is deemed advisable by an Authorized Officer, the definitive form of each such agreement to be evidenced conclusively by the execution thereof by an Authorized Officer;**

**Authorize the sale of the Notes by negotiated sale with one or more financial institutions on terms deemed advisable by an Authorized Officer; and**

**Authorize each Authorized Officer, the General Counsel and other officers of the MBTA and MassDOT, acting singly, to do all acts and things and to execute, in the name and on behalf of the MBTA, and deliver any and all documents, certificates and other instruments necessary or desirable to effectuate the transactions contemplated by the documents executed in connection with foregoing votes.**

**On motion duly made and seconded by the MassDOT Board, by roll call:**

**Director Taylor                      Yes**

**Director Murtagh                      Yes**

**Director King                      Yes**

**Director Tibbits-Nutt                      Yes**

**Director Kornegay                      Yes**

**Director Moylan                      Yes**

**Director Otero                      Yes**

**Director Mazarella                      Yes**

**Director Sullivan                      Yes**

**Chair Pollack                              Yes**

**VOTED:**

**That the members of the Board of Directors of the Massachusetts Department of Transportation (“MassDOT”) hereby approve the recommendation of the Massachusetts Bay Transportation (“MBTA”) Fiscal and Management Control Board that it:**

**Approve the Plans of Finance recommended by the MBTA’s financial advisor, Public Resources Advisory Group, in its memorandum presented herewith;**

**Authorize the issuance of up to \$200,000,000 aggregate principal amount of short-term notes, in one or more series (the “Notes”), as necessary to provide liquidity to the MBTA to meet expenses in light of reduced revenues resulting from actions taken in response to the COVID-19 pandemic, such Notes to be issued as Subordinated or Senior Sales Tax Bond Anticipation Notes pursuant to the Sales Tax Bond Trust Agreement, or as Assessment Bond Anticipation Notes pursuant to the Assessment Bond Trust Agreement, and, if necessary, one or more renewals thereof, such Notes to be repaid with revenues or the proceeds of long-term Sales Tax Bonds or Assessment Bonds, as applicable;**

**Authorize the General Manager, Chief Administrator, Chief Financial Officer and Treasurer, or any of them acting singly (each, an “Authorized Officer”), acting in the name and on behalf of the MBTA, to execute and delivery of one or more Supplemental Trust Agreements providing for the issuance of the Notes, in such form as is deemed advisable by an Authorized Officer, the definitive form of each such agreement to be evidenced conclusively by the execution thereof by an Authorized Officer;**

**Authorize the sale of the Notes by negotiated sale with one or more financial institutions on terms deemed advisable by an Authorized Officer; and**

**Authorize each Authorized Officer, the General Counsel and other officers of the MBTA and MassDOT, acting singly, to do all acts and things and to execute, in the name and on behalf of the MBTA, and deliver any and all documents, certificates and other instruments necessary or desirable to effectuate the transactions contemplated by the documents executed in connection with foregoing votes.**

**On motion duly made and seconded by the MassDOT Board, it was by roll call:**

<b>Director Taylor</b>	<b>Yes</b>
<b>Director Murtagh</b>	<b>Yes</b>
<b>Director King</b>	<b>Yes</b>
<b>Director Tibbits-Nutt</b>	<b>Yes</b>
<b>Director Kornegay</b>	<b>Yes</b>
<b>Director Moylan</b>	<b>Yes</b>
<b>Director Otero</b>	<b>Yes</b>
<b>Director Mazarella</b>	<b>Yes</b>
<b>Director Sullivan</b>	<b>Yes</b>
<b>Director Pollack</b>	<b>Yes</b>

**VOTED: to adjourn the MassDOT Board of Directors meeting at 1:15 p.m.**



Next, Chair Aiello called on General Manager Poftak to present the Report from the General Manager. Mr. Poftak discussed specific issues as they related to the current world-wide health issue and how it was effecting the MBTA, its responses and its adjustments, namely: coronavirus preparedness and daily dashboard; personal protective equipment for employees; disinfecting regime; employee policy changes; significant ridership declines; gated rapid transit stations; decline in ridership for the Orange, Red, Green, and Blue lines, Commuter Rail and Bus; decline in The Ride ridership; decline in parking; service principles for COVID-19 response and criteria for decreasing service.

Mr. Poftak continued discussing adjustments to the Commuter Rail's reduced service; three-week prioritization/rescheduling of Capital Projects and thanked the workforce for serving the community in a very difficult time.

Director Sullivan had questions on the status of the Quincy and Braintree garages and crowding on the trains.

Chair Aiello along with the other members of the Board expressed their appreciation and gratitude for the General Manager's leadership.

Secretary Pollack questioned the status of the Green Line, South Coast Rail and PTC projects and Mr. Poftak noted they were moving forward under current OSHA and COVID-19 regulations.

Chair Aiello skipped Agenda Item 16, the FMCB Schedule and moved on to Agenda Item 17.

Chair Aiello called on Senior Project Engineer Erik Scheier to present Agenda Item 17, Amendments to Z91PS33 and Z91PS34, General Engineering Services Contract for Bus System Infrastructure Improvements. Mr. Scheier provided an overview of the contract that would provide additional engineering services required to continue the design of bus stop accessibility improvements and bus corridor priority projects. Mr. Scheier discussed the overall project scope, benefits and schedule, as set forth in the attached document labeled, "Amendments to General Engineering Consulting Services Contracts for Bus System Infrastructure Improvements, March 23, 2020."

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

<b>Director Tibbits-Nutt</b>	<b>Yes</b>
<b>Director Kornegay</b>	<b>Yes</b>
<b>Director Lang</b>	<b>Yes</b>
<b>Chair Aiello</b>	<b>Yes</b>

**VOTED:**

**That the General Manager, or his designee, is hereby authorized to execute in the name of and on behalf of the Massachusetts Bay Transportation Authority (the "MBTA"), and in a form approved by the General Counsel, Amendment No. 01 as part of MBTA Design Contract No. Z91PS33 with McMahon and Amendment No. 01 as part of MBTA Contract No. Z91PS34 with WSP, each for an amount not to exceed \$4,000.000.00.**

Next, Chair Aiello called upon Project Manager Leo Murphy, to present Agenda Item 18, the Green Line B-Branch Station Consolidation and Accessibility

Improvements contract. Mr. Murphy provided an overview of the project for accessibility and station improvements to benefit riders of the Green Line. Mr. Murphy noted this contract would consolidate four existing Green Line stations on the B Branch along Commonwealth Avenue adjacent to Boston University, into two fully accessible new stations. Mr. Murphy continued to discuss public outreach and the coordination and construction procurement timeline, as set forth in the attached document labeled, "MBTA Construction Contract No. A25CN01: Green Line B-Line Station Consolidation and Accessibility Improvements, March 23, 2020."

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

<b>Director Tibbits-Nutt</b>	<b>Yes</b>
<b>Director Kornegay</b>	<b>Yes</b>
<b>Director Lang</b>	<b>Yes</b>
<b>Chair Aiello</b>	<b>Yes</b>

**VOTED:**

**That the General Manager, or his designee, is hereby authorized to execute in the name of and on behalf of the Massachusetts Bay Transportation Authority (the "MBTA"), and in a form approved by the General Counsel, Contract No. A25CN01: Green Line B-Branch Station Consolidation and Accessibility Improvements with MAS Building and Bridge, Inc. for an amount not to exceed \$17,768,400.00.**

Lastly, Chair Aiello called on Senior Project Manager John McCormack to present Agenda Item 19, a contract for Engineering and Design Services for the

Downtown Crossing Accessibility Improvements, Phase II. Mr. McCormack provided the Directors with a brief history of the project and the project scope. Mr. McCormack concluded discussing the project benefits that included improving the customer experience, safety and accessibility; ability to provide accessible transfers between the Orange and Red Lines and equitable access to all customers; compliance of the BCIL accessibility improvements agreement and the reduction of lifecycle maintenance costs, as set forth in the attached document labeled, "MBTA Contract No. A90PS01: Engineering and Design Services for the MBTA Downtown Crossing Station Accessibility Improvements Project, Phase II, March 23, 2020."

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

<b>Director Tibbits-Nutt</b>	<b>Yes</b>
<b>Director Kornegay</b>	<b>Yes</b>
<b>Director Lang</b>	<b>Yes</b>
<b>Chair Aiello</b>	<b>Yes</b>

**VOTED:**

**That the General Manager, or his designee, is hereby authorized to execute in the name of and on behalf of the Massachusetts Bay Counsel A90PS01: Engineering and Design Services for the Downtown Crossing Station Accessibility Improvements Project, Phase II, with Mott MacDonald for an amount not to exceed \$6,879,849.00.**

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

<b>Director Tibbits-Nutt</b>	<b>Yes</b>
<b>Director Kornegay</b>	<b>Yes</b>
<b>Director Lang</b>	<b>Yes</b>
<b>Chair Aiello</b>	<b>Yes</b>

**VOTED: to adjourn at 1:54 p.m.**

**Documents relied upon for this meeting:**

- MassDOT Update to Debt Management and Swap Policies, March 23, 2020
- FY2021-2025 CIP Update: Program Sizes, Source and Uses
- Massachusetts Turnpike Parcel 12 Briefing
- MassDOT Debt Issuance and Management Policy, March 23, 2020
- MassDOT Interest Rate Swap Management Policy, March 23, 2020
- MBTA Debt Issuance and Management Policy, July 1, 2020
- MBTA Debt Management/Derivative Policies Revision, March 23, 2020
- MBTA Master Derivatives Policy, July 1, 2020
- Report from the General Manager, March 23, 2020
- FMCB Calendar, March 23, 2020
- Amendments to General Engineering Consulting Services Contracts for Bus System Infrastructure Improvements, March 23, 2020
- MBTA Construction Contract No. A25CN01: Green Line B-Line Station Consolidation and Accessibility Improvements, March 23, 2020
- MBTA Contract No. A90PS01: Engineering and Design Services for the MBTA Downtown Crossing Station Accessibility Improvements Project, Phase II, March 23, 2020

**COMPILED PUBLIC COMMENTS BY EMAIL – MARCH 23, 2020**

----- Original message -----

From: Louise Baxter <lbaxter4@verizon.net>  
Date: 3/22/20 10:00 PM (GMT-05:00)  
To: publiccomments@dot.state.ma.us  
Cc: mela@ace-ej.org, "Kane, Owen (MBTA)" <okane@MBTA.com>  
Subject: public comment 3/23 FMCB DOT meeting

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I'm for requiring all contracts to keep union jobs Also don't pass off public responsibility to private companies We all as citizens and voters should not pass off public responsibility for public goods among other things Also private companies are concerned about profits as services and might cut off service to EJ people

This is now time to make equity a main concern not just numbers. The newspapers now have articles had some people who can afford it moving out of Boston to less congested areas because of the virus. Public good should be for all people especially the less well off. The post office charges rural areas same as urban areas even though it is more costly to serve rural areas Communication and transportation are human rights and everyone has the right to be connected to opportunity, ability to fill their needs such as food. Health services etc.even if it is not profitable.

I think you did good outreach for 3/10 better bus project meeting. We didn't get a chance to evaluate it. I hope you keep up outreach for all changes such as.posting notices on effected stops and routes

Also please make public comments easily and timely accessible to the public. It is important to know what others are saying and their concerns. It helps us in making decisions. We can take other's needs and concerns in deciding our platform. We can see what we ask for might affect others

Thank You

Louise Baxter  
lbaxter4@verizon.net

----- Original message -----

From: "Lolita Parker, Jr." <roxbury02119@gmail.com>  
Date: 3/22/20 9:01 PM (GMT-05:00)  
To: "Kane, Owen (DOT)" <Owen.Kane@dot.state.ma.us>

Subject: Please delay awarding the Melnea Cass tree removal contract

We need them more than ever.

Heat index maps show the summertime temps are 10 degrees and more cooler than a couple of blocks over to the north.

Thank You  
Lolita Parker Jr

----- Original message -----

From: ivonne lalyre <lalira53@yahoo.com>

Date: 3/23/20 5:32 AM (GMT-05:00)

To: "Kane, Owen (DOT)" <Owen.Kane@dot.state.ma.us>, MassDOT Public Comments <publiccomment@dot.state.ma.us>, "Kane, Owen (DOT)"

<Owen.Kane@dot.state.ma.us>, "Kane, Owen (MBTA)" <okane@MBTA.com>

Cc: "Pollack, Stephanie (DOT)" <Stephanie.Pollack@dot.state.ma.us>, yawu@bannerpub.com, newstip@globe.com, Jon Santiago <jon.santiago@mahouse.gov>, Kim Janey <kim.janey@boston.gov>, Sonia.Chang-diaz@masenate.gov

Subject: Melnea Cass Boulevard - Item 8 on Today's meeting agenda

Dear Mr. Kane,

My name is Yvonne Lalyre. I started a petition a few days ago on behalf of my neighborhood and the Friends of Melnea Cass Boulevard (FMCB). I urge you and the Massachusetts Department of Transportation to consider that as of this moment the petition has gathered already three hundred and sixty-nine (369) signatures.

In short, the signers and I are respectfully asking the Massachusetts Department of Transportation to halt the project of reconstruction of the boulevard and consider the options proposed by the neighborhood of Lower Roxbury and FMCB. We are also asking that the contract not be awarded to Newport Corporation.

Anyone may access the pertinent information at <http://chnng.it/mVbgy8cwnr>.

Sincerely and grateful for your attention,

Yvonne Lalyre, Ed.D.  
17 Greenwich Street  
Frederick Douglass Square  
Roxbury Crossing, MA 02120-2250  
(617)427-5542

----- Original message -----

From: ivonne lalyre <lalira53@yahoo.com>

Date: 3/23/20 6:31 AM (GMT-05:00)

To: "Kane, Owen (DOT)" <Owen.Kane@dot.state.ma.us>, MassDOT Public Comments <publiccomment@dot.state.ma.us>, "Kane, Owen (DOT)"

<Owen.Kane@dot.state.ma.us>, "Kane, Owen (MBTA)" <okane@MBTA.com>

Cc: "Pollack, Stephanie (DOT)" <Stephanie.Pollack@dot.state.ma.us>, yawu@bannerpub.com, newstip@globe.com

Subject: Re: Melnea Cass Boulevard - Item 8 on Today's meeting agenda

Dear Mr. Kane,

For your information and that of the Board of Mass DOT, an earlier petition regarding the project last year, addressed to the Mayor of Boston, gathered two hundred and twenty-five signatures (225):

<https://www.change.org/p/boston-residents-and-stakeholders-save-the-mature-canopy-of-urban-trees-lining-melnea-cass-blvd-in-lower-roxbury>

Below is the full text of my current petition in English (369 signatures). The opposition is mounting.

Environmental Justice for Lower Roxbury! Save \$33M+ of Tax Payer Dollars  
(Traducción abajo)

The reconstruction of Melnea Cass Boulevard (MCB)\*, the multi-lane road located in the low-income neighborhood of Roxbury, was first suggested by the Boston Transportation Department as a project in 2011 with an intended cost of \$9 million. In 2015, the City obtained \$25 million from the Metropolitan Planning Organization, which oversees state and federal highway funding, under the promise of a design that would get local support. The City failed!

Boston officials claim falsely that there has been an extensive "public engagement process." At the public meetings, hearings, and numerous site visits, neighbors have repeatedly rejected the City's grandiose plans. Instead, the neighborhood has suggested alternatives that would better address safety along the Boulevard, would preserve the existing tree canopy, and save money. Nevertheless, the City and its consultants chose elaborate, costly, and difficult-to-build alternatives from those provided in the city and state's (Complete Streets and Separated Bike Lane) design guides. While spending an estimated \$2-\$3 million on design, they have ignored not only the neighborhood's advice, but also the City's own predictions and recommendations regarding climate change.

The bids are in. It is clear that city officials made the wrong choices. The lowest bid for the reconstruction by an out-of-state contractor is 35% over the estimated \$25 million! If this project is allowed to go ahead, the state will spend \$33+ million of tax payer funds to eliminate a minimum of 100 mature trees in the middle of a "most severe heat island"\*\*\* in Boston, increase the road pavement by 20%, and cause at least three years of profound neighborhood disruption only to have more traffic, more air and noise pollution, and more unnecessary bike lanes. The immense environmental impact on Lower Roxbury means that it will take thirty-five (35) years for trees, that may be planted, to reach maturity and provide the benefits of those that are already there. There will be a detrimental impact on health, especially of children and the elderly due to increased air contamination and heat. There will be an increased danger of flooding with the tree removal. Moreover, and most



importantly, with the choice of an out-of-state contractor there is no evident economic benefit to the neighborhood, no articulated plan to create jobs for minority or women workers beyond existing hiring regulations and therefore, no clear or foreseeable benefit to the neighbors, or the City.

The neighborhood has proposed a strategy that would accomplish the required safety improvements to the Boulevard quickly and economically with a cost close to the original \$9million:

- Stay within the existing curbs. That saves the trees and a barrier to global warming.
- Repave, re-stripe, fix the curb-cuts and install new signals. That eliminates the added 20% road pavement.
- Resurface the existing bike path and sidewalks. That eliminates the extra redesign and work.
- Improve drainage. That is a precaution for flooding risks.
- Hire local folks to restore and maintain the trees and landscape. That will bring \$ into the low-income neighborhood surrounding MCB and to the City.
- Free over \$16 million for other environmentally sound projects in Boston or the Commonwealth.

Say "NO" to the Melnea Cass Boulevard Design Project and ask the Board of Directors of the Massachusetts Department of Transportation to Stop the Project!

Please write to: [stephanie.pollack@dot.state.ma.us](mailto:stephanie.pollack@dot.state.ma.us) (chair),  
[publiccomment@dot.state.ma.us](mailto:publiccomment@dot.state.ma.us) or call:(857) 368-8767

Please share the petition and like our page on facebook:

<https://www.facebook.com/FriendsofMCB>

\*<https://www.boston.gov/departments/transportation/melnea-cass-boulevard-design-project>

\*\* <https://www.boston.gov/departments/environment/climate-ready-boston-progress>

Sincerely,

Yvonne Lalyre, Ed.D.

----- Original message -----

From: ivonne lalyre <[lalira53@yahoo.com](mailto:lalira53@yahoo.com)>

Date: 3/23/20 11:11 AM (GMT-05:00)

To: "Kane, Owen (DOT)" <[Owen.Kane@dot.state.ma.us](mailto:Owen.Kane@dot.state.ma.us)>, MassDOT Public Comments  
<[publiccomment@dot.state.ma.us](mailto:publiccomment@dot.state.ma.us)>, "Kane, Owen (DOT)"

<[Owen.Kane@dot.state.ma.us](mailto:Owen.Kane@dot.state.ma.us)>, "Kane, Owen (MBTA)" <[okane@MBTA.com](mailto:okane@MBTA.com)>

Cc: "Pollack, Stephanie (DOT)" <[Stephanie.Pollack@dot.state.ma.us](mailto:Stephanie.Pollack@dot.state.ma.us)>,  
[yawu@bannerpub.com](mailto:yawu@bannerpub.com), [newstip@globe.com](mailto:newstip@globe.com)

Subject: Re: Melnea Cass Boulevard - Item 8 on Today's meeting agenda

As of 11:11 am the number of signers is 376.

----- Original message -----

From: Mela Bush-Miles <mela@ace-ej.org>

Date: 3/23/20 11:48 AM (GMT-05:00)

To: publiccomments@dot.state.ma.us, "Kane, Owen (MBTA)" <okane@MBTA.com>

Subject: public comments from TRiders Union

To Whom it May Concern:

Please consider attached public comments I am submitting on behalf of T Riders Union members.

Thank You

Mela Miles Director T Riders Union. Director TOD ...ACE Alternatives For Community and Environment

Alternatives For Community and Environment

2201R Washington Street Suite 302

Roxbury Ma 02119

March 23, 2020

Respected Members of the Board Madame Secretary, GM Poftak, Chair Aiello, Director Tibbitts-Nutt:

I am writing this comment on behalf of writers that we have interacted with over the past week and members of the two writers Union who joined in on a conference call last Thursday evening.

At this time of crisis, due to the Covid-19 outbreak. We first would like to thank you for endeavouring to keep the public transportation system up and running and working day and night to address the issues that arise. We also know that the show must go on. Though we may be shut in we should not be shut out of the public process in public meetings. One question one concern was what was being done to protect the T employees so that they are not put at risk while they drive the trains, buses, trolleys and commuter rail services and may have to interact with riders, will you be issuing gloves and masks to those employees so that they will not be put at risk ultimately putting their families at risk. There was a question of overcrowding on some buses when the service was cut back to a Saturday schedule, in particular the 111 bus was overcrowded and people had to come within close proximity of each other and could not maintain their safe distance of 6 feet. Please consider equity when making your decisions about which routes they should to cut down service. One T rider expressed concern that trolley service was cut down to every 7 to 14 minutes on the Mattapan high-speed trolley line was operating on 14 to 26 minutes headways we are concerned that there is not equitable treatment of riders in these EJ communities. The Mattapan high-speed trolley line begins and ends in the lower-income communities of Mattapan and Dorchester. Residents there tend to be very transit dependent and have less automobiles. Those who must continue to work include workers from every segment of the supply chain to supermarkets, pharmacies, hospital workers, those who must get to their jobs regardless of stay-at-home orders..

The Melnea Cass contract is on the agenda for a vote and there is no back up documentation for public viewing. We are requesting that meetings be live streamed for public participation and allow call in public comments if possible thank you  
Sincerely

Mela Miles Director of TOD at ACE director of TRU. [mela@ace-ej.org](mailto:mela@ace-ej.org)

----- Original message -----

From: Olivia Nichols <[olivian@greenrootschelsea.org](mailto:olivian@greenrootschelsea.org)>

Date: 3/23/20 2:11 PM (GMT-05:00)

To: MassDOT Public Comments <[publiccomment@dot.state.ma.us](mailto:publiccomment@dot.state.ma.us)>, "Kane, Owen (MBTA)" <[okane@MBTA.com](mailto:okane@MBTA.com)>

Subject: 3.23 MBTA and MassDOT Joint Board Meeting Public Comment

Attached is a public comment for submission from today's joint board meeting.

Thank you,  
Olivia Nichols  
Transit Justice & Environmental Justice Organizer, GreenRoots

GreenRoots  
227 Marginal Street  
Chelsea, MA 02150  
March 23, 2020

Respected Members of the Board Madame Secretary, GM Poftak, Chair Aiello, Director Tibbitts-Nutt:

I am submitting this comment following conversations I have engaged on over the past week with residents and MBTA riders of Chelsea as well as a group of participants of the T Riders Union.

I would like to highlight one central and common point of concern here, which is that of the immediate sequestering of public input that is already seen through how today's meeting is being conducted. While the option to view the livestream of the joint meeting is appreciated, I, along with members of the T Riders Union and several community members in Chelsea, find it highly concerning that the public comment period itself has been removed from the meeting agenda. Please allow for a call-in option at future meetings so that the general public can continue to actively engage and voice our opinions and experiences. With the sole option currently available to us (the public) being to submit comments via email, how are these comments being incorporated into the meetings themselves?

Especially considering Gov. Baker's issuance of stay-at-home beginning tomorrow (March 24th), we must ensure that, while public health concerns continually and understandably discourage members of the public from gathering in-person, FMCB meetings remain

receptive and accessible to engagement from the public in a mutual manner, meaning real-time responses from Board members to submitted public comments. This is a time to turn towards the public, not shut us out or discourage us from engaging in this public process. Thank you for your time.

Sincerely,

Olivia Nichols, Transit Justice & Environmental Justice Organizer, GreenRoots