



MINUTES

Meeting of the Fiscal and Management Control Board

November 9, 2020 AT 11:00 A.M.

10 PARK PLAZA, BOSTON, MA

This meeting was held virtually in accordance with the Order Suspending Certain Provisions of the Open Meeting Law issued by Governor Baker on March 12, 2020. Board members participated remotely and had materials provided to them prior to the meeting. Public participation and comment occurred via written communication, voice message and live public comment through conference call.

This meeting was live streamed.

BOARD MEMBERS

PARTICIPATING REMOTELY:

Chairman Joseph Aiello, Vice-Chair Monica Tibbitts-Nutt, Director Brian Lang, and Director Chrystal Kornegay

Others Present and/or Participating for Various Portions of the Meeting:

General Manager Steve Poftak, Secretary Stephanie Pollack, Deputy General Manager Jeff Gonnevillle, Deputy Director of Stakeholder Engagement Hope Patterson, Chief Financial Officer Mary Ann O'Hara, Assistant General Manager for Policy Laurel Paget-Seekins, Chief of Operations Strategy, Policy & Oversight Kat Benesh, Deputy Chief Administrative Officer Samantha Silverberg, Chief of Capital Programs Jay Neider, Chief Engineer Erik Stoothoff, Assistant Director of Policy Daniel Sullivan, General Counsel Marie Breen, Chief Counsel Michelle Kalowski, and Senior Counsel Amy Nash

A. Call to order by the Chair

Chair Aiello called the meeting of the Fiscal and Management Control Board to order at 11:02 AM. He announced that the Board would enter into Executive Session and provide

their opening comments after that point.

B. Executive Session

Chair Aiello began with the first item on the agenda, an executive session to discuss certain real estate matters as to which he had determined, and the General Counsel concurred, discussion during an open session may have a detrimental effect on the negotiating position of the MBTA.

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

VOTED: to enter executive session to discuss certain real estate matters, the discussion of which during open session may have a detrimental effect on the negotiating position of the MBTA.

Chair Aiello	Yes
Vice Chair Tibbits-Nutt	Yes
Director Lang	Yes

The Chair explained that the FMCB would return to open session at the conclusion of the executive session and continue with the open portion of the agenda, adding that the open portion of the agenda would not re-commence until noon at the earliest. The FMCB entered Executive Session at 11:05 am. Director Kornegay joined the executive session at 11:07 AM.

The FMCB returned from Executive Session at 12:03 PM.

Chair Aiello welcomed members and the public to the meeting and called the meeting of the Fiscal and Management Control Board to order.

Senior Counsel Amy Nash called the roll of the Members participating remotely, being a quorum of the Fiscal and Management Control Board:

Chair Aiello	Yes
Vice Chair Tibbits-Nutt	Yes
Director Kornegay	Yes
Director Lang	Yes

C. Public Comment

In accordance with the current public health emergency, public comment was taken through voicemail, email, and regular mail, and live comment through telephone call. Written public comments received were distributed to the Directors and public during the meeting. The Directors listened to public comments left via voicemail:

Sal DiDomenico, Massachusetts State Senator, commented on the FY21-FY22 budget, and encouraged the Board to implement Phase I of the plan for the Environmental Justice Corridor, the effect of which will reduce noise and air pollution.

Jay Barrows, Massachusetts State Representative, urged the board not to implement service cuts on the Providence Rail line, as it remains a vital service during the pandemic.

Pat Jehlen, Massachusetts State Senator, commented that service cuts would be premature, pausing construction would be irresponsible, and both scenarios would cause economic harm for the region.

James K. Hawkins, Massachusetts State Representative, urged the Board not to implement cuts in service to the Providence Rail line, as the current building of housing units in Attleboro will create more of a demand for transportation.

Brian M. Arrigo, Mayor of Revere, recommended that the Board make a commitment to electrifying the corridor.

Dan Cahill, Massachusetts State Representative, commented that he appreciates the difficult choices the Board has to make and advocated for the electrification of the Newburyport/Rockport line.

An anonymous caller commented on the Forging Ahead plan for potential service cuts

and stated that no cuts should occur during the pandemic.

Mike Connolly, Massachusetts State Representative, commented that a reopening of the Commonwealth cannot occur properly with service cuts, and encouraged the Board to await action regarding revenue from the state legislature.

Michael Day, Massachusetts State Representative, urged the Board continue construction at the Winchester Station, as the station needs repair.

Brendan Clayton, Massachusetts State Senator, urged the Board to approve Phase 1 of the Newburyport/Rockport plan for the Environmental Justice Corridor, and expressed his support for electrification of transit vehicles.

Jason Lewis, Massachusetts State Senator, commented on Forging Ahead and urged the Board to not pause work on construction projects, including Winchester Station.

Tom Ambrosino, Chelsea City Manager, commented on electrifying the Newburyport/Rockport line and keeping fares at the current levels.

Matthew Peterson, spoke about Agenda Item O, modernizing the bus fleets and moving to electrifying all buses.

Jarred Johnson, with Transit Matters, shared his disappointment that there appears to be no commitment to exploring electric buses and little analysis in discussing electric-only options for the Quincy garage from day one.

Veena Dharmaraj, with the Sierra Club, commented on Agenda Items M and N, regarding electric bus technology and encouraged the board to explore other options when replacing buses and promote lower emissions with electrification.

Lee Osinger, Executive Director of Community Labor United, expressed support for

ensuring that affordable and accessible transit is available to all.

Steve Pullman, President of the Massachusetts chapter of the AFL-CIO, expressed his opposition to any cuts to transit services, as they would disproportionately affect those who rely on the system to get to work.

Mike Vartabedian, of the Machinists Union, urged the Board to provide more opportunity for community and public input and said that any cuts would further harm those who need access to public transit the most.

Susanne Rassmussen, City of Cambridge Environmental and Transportation Planning Director, commented on Forging Ahead, urged the Board to ensure that they provide service for people can ride safely when utilizing public transportation.

Staci Rubin, Senior Attorney for the Conservation Law Foundation, commented on the Forging Ahead agenda item and urged the Board not to make cuts which will likely be permanent and instead focus on new revenue opportunities.

Mark Liu, of the Chinese Progressive Association, cautioned the Board in not making service cuts decisions too quickly, in light of the national election, and to seek more public input.

Abby Twain, of the United Spinal Association, urged the MBTA to ensure that those with disabilities have accessible transit, and to consider sidewalk and street safety when implementing cuts.

Louise Baxter of the T Rider's Union shared her concern for impending service cuts and to not allow low-income, low-wage workers to bear the burden of service cuts. She also advocated for a cashless fare system.

Jarred Johnson of Transit Matters shared his appreciation that the Forging Ahead team is focused on equity but also urged the Board not to agree to cuts too quickly, and to take the political changes on the national level into consideration with regard to economic recovery.

Tim Murray of the Worcester Regional Chamber of Commerce stated that the Worcester/Framingham Commuter Rail line is vital to the area and asked that consideration be given to riders on that line and in the area.

Jason McCann of the Save the Ferry campaign commented on the Forging Ahead initiative and asked the Board to remove the proposed cut of the Hingham and Hull ferries from any plans, stating that many rely on the ferries to commute in and out of Boston.

Dianna Hu, Chair of the Board of Trustees of the Boston Center for Independent Living, and an executive board member of the Riders Transportation Access Group, urged the Board to consider the needs of wheelchair-bound riders and those with other disabilities when making decisions regarding projects and to protect those projects that protect access to transportation.

Marilyn McNabb shared her disappointment with the recent time limits imposed for comments. She also expressed her displeasure with The Ride program.

Roger Wile of Medford urged the Board to not implement cuts and expressed displeasure in both The Ride and the service in Medford.

Michael Messina expressed opposition to service cuts and encouraged the electrification of regional rail systems.

J.D. Young of Hingham urged the Board to not cut the ferry service from Hingham, as it is vital for the area it serves.

Rick Mattillo of Hull expressed his concern about cuts to the Hingham and Hull ferry

service, stating that cuts will result in higher congestion of traffic and pollution with riders needing to use another form of transportation.

Alexandra McDonald of Hull urged the Board not to cut the ferry service, stating that it is a vital service, environmentally sound, and important for tourism in the community.

Mr. Shea of Hull urged that the Hingham and Hull ferry service not be cut, as full ridership will return after the pandemic is over.

Maxine Steigler expressed concern over the potential cut of the Hingham ferry, adding that it could affect both real estate values as well as cause her to reconsider the purchase of real estate in the area.

Karen Kovac of Hull shared her knowledge of community members who use the Hull ferry and asked that no cuts of service be made.

Nan Doyle said the Hull ferry was why she moved to the community and urged the Board to reject any cuts to service.

Kathy Detler expressed concern about possible service cuts to the Hull ferry as the service is crucial to the community and other modes of transportation pose health risks for her.

Chandler Peron of Hingham stated that the ferry is of vital importance to many members of the community.

Marcia Ramazuski of Hingham expressed her support for the ferry service, as she has college-age students who rely the ferry service to commute to and from Boston.

Heather McDonald of Hull stated that cutting the ferry would do a disservice to the community.

Tim of Hull moved to Hull solely for the ferry service and does not want to see service

cut.

Joanie Bradley of Weymouth and Hull commented that she consistently uses the ferry to commute to Boston and urged the Board not to cut the service.

Teagan of Scituate urged that no cuts be made to the Greenbush line or ferries servicing the South Shore, as it would have a detrimental effect on the community.

Michelle Wu, Boston City Counsellor, said that public transportation is a public good and expressed opposition to service cuts, as essential workers rely on public transportation. She stated that the Boston City Council passed a unanimous resolution opposing any transportation cuts.

There were no real-time commenters.

The Chair thanked the commenters and respectfully asked people commenting by voicemail to keep their calls to two minutes or less.

D. Approval of Minutes

The next item on the agenda was the approval of the minutes of the October 5, 2020 meeting.

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

VOTED: To approve the minutes of the Fiscal Management and Control Board Meeting held on October 5, 2020.

Chair Aiello	Yes
Vice-Chair Tibbitts-Nutt	Yes
Director Lang	Yes
Director Kornegay	Yes

E. Public Schedule

In the interest of time, Chair Aiello asked that anyone with comments or changes for

the schedule of future meetings to contact Hope Patterson and copy him on any communications.

F. General Manager's Report

General Manager Steve Poftak provided the Report from the General Manager, Agenda Item F.

Mr. Poftak began by offering his appreciation to the employees who participated in a Ride Safer video, discussing Covid-19 and its effects on those employees.

Mr. Poftak then briefly reviewed plans for public meetings regarding the Forging Ahead initiative. He also reviewed the timetable for any service level changes in relation to the initiative and the budget deadlines for fiscal years 2021 and 2022.

Director Kornegay thanked Mr. Poftak for the flexible approach they are taking to the issues presented and asked if Mr. Poftak could explain slide 5, which suggests that no discussion will take place on this topic between December through May. Mr. Poftak assured Director Kornegay that discussion and planning will indeed occur during that time period and agreed that it would be useful to show that process.

Chair Aiello commented that the ability to use capital funds to cover operating costs is due to Mr. Poftak's work with the Governor and Legislature and thanked him for his work in making this possible. Secretary Pollack then commented that the Legislature will likely have the authorization to treat capital salaries differently before the bond bill is done, which will help resolve one aspect of the budget issues, and that in light past challenges resulting in the MBTA periodically cannibalizing capital funds to fill an operating budget gap, but understanding that this is a viable plan due to the current budget constraints, and she is not comfortable with going beyond what has been proposed.

G. Report from the Deputy General Manager

Deputy General Manager Jeff Gonnevillle presented an update vegetation management and tree management.

H. Amendment to Proposed Lease at MBTA’s Riverside T Stop

In advance of this agenda item, Vice-Chair Tibbits-Nutt announced that she had a potential conflict of interest and recused herself from participation in the discussion.

Chief Real Estate Officer, Richard Henderson presented information to the Board about a proposed amendment to a lease between the MBTA and Senlac Ridge Partners and Mark Development, LLC with respect to certain land at the Newton Riverside MBTA Station, which would extend the lease from 85 years to 99 years.

Hearing no questions concerning the presentation, Chairman Aiello asked for a motion on the proposed lease amendment.

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

VOTED that:

WHEREAS: On June 20, 2020, the Fiscal and Management Control Board voted to authorize the General Manager, in the name of and on behalf of the Massachusetts Bay Transportation Authority (“MBTA”), to negotiate and execute a lease for land at the Newton Riverside MBTA Station by and between the MBTA, as landlord, and a joint venture to be formed between Senlac Ridge Partners (successor to Normandy Real Estate Partners) and Mark Development, LLC, or their approved designees, as lessees (the “Lease”); and

WHEREAS: Sound reasons in the public interest require that the term of the Lease originally authorized by the Fiscal and Management Control Board be extended from 85years to a term not to exceed 99 years;

The General Manager be, and hereby is, authorized in the name of and on behalf of the MBTA, to negotiate and execute the Lease, in a form approved by the General Counsel, for a term not to exceed 99 years; and further that the General Manager be, and hereby is, authorized in the name of and on behalf of the MBTA to enter into any other necessary documents, in forms approved by the General Counsel; and to take any and all actions necessary and advisable to effectuate the foregoing.

Chair Aiello

Yes

**Director Lang
Director Kornegay**

**Yes
Yes**

I. Safety Update

Director of Safety Engineering John Connell provided an update on a new incident reporting process for the MBTA.

Chair Aiello asked if, with this new system, all engineering and construction contracts require utilization of eBuilder. Mr. Connell stated that he thought it would be required but would need to confirm with another. Chief of Capital Projects Jay Neider confirmed that a full integration is occurring across the board.

J. The RIDE Update

Chief of Paratransit Services Ben Schutzman discussed plans to increase reliability of The RIDE while controlling costs. He reviewed the strategy currently employed to achieve those goals.

K. Massachusetts Taxpayers Foundation

Andrew Bagley of the Massachusetts Taxpayers Foundation provided a detailed presentation on his organization's budget projections for the Commonwealth and its transit systems. Mr. Bagley's view is that stop gap measures will not solve long-term issues and budget shortfalls.

Chair Aiello suggested that the Foundation provide an updated presentation when the Board is convened next July and said that the decision to accelerate borrowing creates an issue, along with rising pension costs, creates a tough situation. Mr. Bagley congratulated the Board and the MBTA staff on the Forging Ahead initiative on their work and attempts to control costs. Chair Aiello shared his thoughts on the dilemmas for the MBTA but also a hope that certain other factors will aid recovery and sustain the budget going forward.

Secretary Pollack thanked Mr. Bagley for an excellent presentation and stated her disagreement with three of its main points. First, Secretary Pollack said that no part of the Massachusetts state government knows where their capital will be coming from in ten years. Second, she said that operating budgets for the MTBA are contained in the five-year pro forma created by David Panagore's team. Finally, she said that fare recovery ratio is not exclusively an MBTA issue but a transit industry issue. In summation, Secretary Pollack said that it is truly a difficult task to solve for any issues ten years out. Mr. Bagley said he understands the Secretary's first point but that it is important to know what is needed. Hearing no further discussion, Chair Aiello passed the gavel to Vice Chair Tibbits-Nutt, who moved the meeting onto the next agenda item.

L. FY21-22 Budget Update

Chief Financial Officer Mary Ann O'Hara presented the monthly Budget Update for Fiscal Year 2021 and 2022. Ms. O'Hara first reviewed budget figures for September of 2020. Ms. O'Hara then discussed ways to address the current budget gap and noted positives in a monthly balance summary.

Secretary Pollack thanked the staff for their hard work and stated that Ms. O'Hara's presentation shows how hard the staff is working to find revenue, and helping to reduce the range of potential service cuts to make the budget work.

M. Capital Investment Program Revisions

Deputy Chief Administrative Officer Samantha Silverberg discussed capital projects as part of the Forging Ahead process. She reviewed projects that could and likely will, be paused due to current budget issues.

Vice Chair Tibbits-Nutt asked Ms. Silverberg if there is a list detailing every project planned to be paused and the proposed transformation project changes. Ms. Silverberg

stated that she will add that information to the appendix. General Manager Steve Poftak commented on which station projects will be paused to provide maximum series of options as they review the CIP.

Vice Chair Tibbits-Nutt asked what effect changes to the wayfinding program will have on accessibility issues for riders. Ms. Silverberg responded that all obligations for visual accessibility will be met, and that only the signage will change.

Chair Aiello then asked what about the effects of the reduction in regional rail planning. Ms. Silverberg stated that it was a reprioritizing a list of investments. Chair Aiello asked for more information about this, and Ms. Silverberg reviewed the portion of her presentation discussing the reprioritization.

N. Forging Ahead: Scenario and Service Planning

Chief of Operations Strategy, Policy & Oversight Kat Benesh presented proposals for service planning and changes proposed. Ms. Benesh began stating that the presentation is long but contains a lot of information to be sure that context is provided and ensures that it encompasses past presentations. She stated that the proposals are merely that – proposals, and no action will take place before engaging in public meetings and with appropriate Board approvals.

Secretary Pollack commented with a clarification of how essential services were defined, which included service for low-income areas, people of color, and the elderly, or where there is low incidence of vehicle ownership.

Ms. Benesh then continued with outlining the ridership impacts of any proposed service changes and reviewed the individual proposals by transit type.

Director Lang asked if adjustments for overcrowding and social distancing in light of the pandemic could be made more frequently than quarterly. He also commented on the

service packages, adding that flexibility is necessary with this aspect of service as well. Ms. Benesh agreed and stated that they are working to be flexible with service and have been since the pandemic began. Director Lang asked for an example. Ms. Benesh stated that there were two ways of determining overcrowding, with operator reports and automated passenger counters, with added information by riders themselves. Director Lang asked if we would take a similar approach going forward. Ms. Benesh said there was a balance to maintain between ensuring that enough service is available and on-time and determining whether additional service is needed to allow for sufficient social distancing.

Chair Aiello thanked Ms. Benesh for her presentation and all the work of the team. He said the public meetings will be imperative in reviewing the proposals.

Vice Chair Tibbits-Nutt asked if the team reviewed parking rates and utilization at those areas that will see an influx of diverted riders. Ms. Benesh responded that they have been looking at utilization but would need to get back to the Board with specific numbers. The Vice Chair then asked, with the possible changes to stops, whether stops will be accessible to riders. Ms. Benesh replied that she believes the remaining stops will be accessible, that some stations they propose to close have accessibility issues, and that staff are trying to ensure that any diversions will not result in an accessibility issues.

Vice Chair Tibbits-Nutt then asked when the planning team will know the costs of mothballing the fleet as changes are made. Ms. Benesh did not have a specific number but stated that the team is currently looking into those numbers and will get back to the FMCB with specifics. Mr. Gonneville confirmed Ms. Benesh's response and stated that there is work being done to that end. Vice Chair Tibbits-Nutt then asked if, when reviewing the Suburban Subsidy Program, the team took into consideration whether there were transit critical riders in that population. Ms. Benesh answered affirmatively. Vice Chair Tibbits-Nutt asked Ms.

Benesh then to re-review the methodology of determining ridership and whether the team is using the demographics from the community or the data from the service providers. Ms. Benesh stated that all evaluations were by demographics. Assistant General Manager for Policy, Laurel Paget-Seekins, added that the evaluations were based on the demographics of people travelling in that area, but agreed with the Vice Chair's question and stated that the team should be consulting with the service providers in the area. Vice Chair Tibbits-Nutt further explained how demographics alone do not accurately show who the riders are in certain areas. Ms. Benesh said they would look deeper at those demographic issues.

Mr. Poftak offered his thanks to Ms. Benesh and Ms. Paget-Seekins for their team's hard work on the initiative. Vice Chair Tibbits-Nutt also thanked the team and proceeded to list the website, email address and phone number information where members of the public can find information on the Forging Ahead initiative. Ms. Paget-Seekins stated that all of this information is on the Forging Ahead website.

O. Modernizing Bus Fleet and Facilities

Chief Engineer Erik Stoothoff presented information on the MBTA Bus Transformation Program. He reviewed goals and objectives, focusing on bus transformation strategies and an accompanying timeline.

Chair Aiello commented on how difficult the path will be to achieve the objectives presented and asked whether any of the facilities needed to be replaced or just modified, listing the necessary funding and possible construction requirements. He added that with all those considerations, planning will need to begin soon, so a more granular form of planning will be helpful. Mr. Stoothoff agreed and stated that more work to that end was in process.

With no further comments or questions, Vice Chair Tibbits-Nutt asked for a motion to adjourn the meeting.

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

VOTED: to adjourn at 5:04 p.m.

Chair Aiello	Yes
Vice Chair Tibbitts-Nutt	Yes
Director Lang	Yes
Director Kornegay	(inaudible)

Documents relied upon for this meeting:

- November 9, 2020 Agenda
- FMCB Public Schedule
- Report from the General Manager
- Report from the Deputy General Manager
- FMCB Public Schedule
- Riverside Amended and Restated Lease
- Safety Update – eBuilder Incident Reporting Process
- The RIDE Non-dedicated Service Provider Update
- FY21-22 Budget Update
- Report from Massachusetts Taxpayer’s Association
- Forging Ahead – Capital Investment Program Revisions Discussion
- Forging Ahead – Scenario and Service Planning
- Modernizing Our Bus Fleet and Facilities