



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Acting Secretary & CEO
Steve Poftak, General Manager



MINUTES

Meeting of the Fiscal and Management Control Board

April 12, 2021 AT 12:00 P.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.

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 Tibbits-Nutt, Director Brian Lang, Director Chrystal Kornegay, and Director Tim Sullivan

BOARD MEMBERS ABSENT:

None

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

General Manager Steve Poftak, Acting Secretary Jamey Tesler, Deputy General Manager Jeff Gonneville, Governance Officer Hope Patterson, Acting Director of Commuter Rail Safety Timothy Lesniak, Chief Railroad Officer Ryan Colohan, Chief Financial Officer Mary Ann O'Hara, Director of Rail Transformation Alistair Sawers, Chief Administrative Officer David Panagore, Director of Capital Program Planning Jillian Linnell, Senior Manager of Fare Policy Analysis Andy Stuntz, Deputy Director of Policy and Strategic Planning Lynsey Heffernan, 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 Chairman

Chairman Aiello called the meeting of the Fiscal and Management Control Board to

order at 12:02 p.m. Senior Counsel Amy Nash called the roll of the Members participating remotely, being a quorum of the Fiscal and Management Control Board:

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

B. Public Comment

In accordance with the current public health emergency, public comment was taken through an online form, voicemail, email, and regular mail. Written public comments received were to be distributed to the Directors as soon as practicable after the meeting.

The Directors listened to public comments left via voicemail:

Brendan Creighton, State Senator, read a list of state senators and representatives expressing concern that the Capital Investment Plan (“CIP”) lacked plans for rail electrification and expressed concern that the CIP was a one-year rather than five-year.

Thomas McGee, Mayor of Lynn, shared his support for Phase 1 of the Regional Rail Proposal and listed the town managers, town administrators, and mayors who have signed a letter sent to General Manager Poftak urging adoption of the proposal.

Tom Ryan of A Better City addressed Agenda Item I and praised the Board for achieving goals through past CIPs but cautioned the Board that the current CIP will not meet needs, if accepted as presented.

Jarred Johnson of Transit Matters shared his disappointment with the one-year CIP, which he said leaves vital programs unfunded.

Staci Rubin of the Conservation Law Foundation expressed concern with a one-year

CIP and expressed support for the restoration of the entire maintenance fund.

Venna Dharmaraj, Director of Transportation for the Sierra Club, expressed concern about the one-year CIP and listed ways the five-year plan could benefit the Commonwealth.

Sylvia Parsons, Co-Chair of 350 Mass, spoke on behalf of the transportation working group, addressing Agenda Items I and J, stating her support for modernization of the MBTA and full electrification of all modes of transportation.

Ari Ofsevit of Institute for Transportation and Development Policy commended the FMCB for simplifying bus fares but asked that transfers be possible between different routes. He also urged the Board to start full electrification of bus fleets.

Richard Prone, an MBTA Advisory Board member from Duxbury, suggested that the last six miles of the Old Colony rail line be double-tracked and asked for the restoration of weekend rail service to the South Shore.

Fred Salvucci of Brighton commented on the Regional Rail report, commending the strong report, and offering several suggestions, including replacing the Grand Junction bridge and creating an intermodal interchange at Highway 128 and Interstate 90.

Olivia Nichols of Green Roots urged the Board to restore all service immediately and asked for more transparency in decision-making regarding restoration.

Susan Baxstrom of Green Roots and the T-Riders Union requested the return of full service for the 112 bus, as it serves disabled members of the Chelsea community.

Ruth Ann Rudel, Director of Research for the Silent Spring Institute, urged the procurement of fully electric buses.

Peter, a resident of Cambridge, expressed support for a fully electric bus and train fleet.

A volunteer with 350 Massachusetts, whose name was inaudible, stated that diesel hybrid procurements were not enough and urged the investment of an all-electric bus and train fleet.

Beth Kontos, Vice President of the North Shore Labor Council, shared concerns about a one-year CIP and urged inclusion of investment in renewable energy and commuter rail electrification.

Colin Codner, Executive Director of the Greater Lynn Chamber of Commerce, urged the Board to expedite the Lynn to Boston line utilizing an electrification system, to keep in place the Lynn commuter rail pilot.

Jared Nicholson of the Lynn School Committee and a professor at Northeastern Law School expressed support for the electrification of all modes and joined other elected officials in supporting the Regional Rail Proposal.

Dr. Nate Bryant, Interim President of North Shore Community College, spoke in support of electrification of the commuter rail system and the adoption of a five-year CIP.

John Keenan, President of Salem State University, urged the Board to fulfill their November 2019 resolution to electrify the commuter rail and advocated for the South Salem Commuter Rail stop.

Katie Cohen, Executive Director of the North Shore Labor Council, shared her support for a five-year CIP, a comprehensive study of commuter rail electrification, and revise the CIP to procure electric trains.

Justin Anshewitz, a Lynn resident and member of Carpenters Local 339, urged the MBTA to adopt a five-year CIP and a comprehensive study of rail electrification.

Phil O'Connor of the Massachusetts Teachers Union 1037 expressed support for a five-year CIP and a comprehensive study of rail electrification and encouraged investment in renewable energy.

Frances Martinez, founder of the North Shore Latino Business Association, urged the Board to revise the CIP to ensure adequate progress in electrifying the commuter rail system.

A caller from Framingham commented on the procurement of diesel locomotives, urging staff to purchase electric instead.

Pam Edwards of the Mass Senior Action Council asked the Board to use the federal rescue funds to electrify the commuter rail system.

Marilyn McNabb urged the MBTA to assist The Ride drivers with obtaining Covid-19 vaccines.

Louise Baxter of the T-Riders Union commended MBTA customer service for keeping track of customer complaints to improve service.

C. Approval of Minutes

Chairman Aiello turned to the approval of the minutes of the March 8, 2021 FMCB 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 March 8, 2021.

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

D. FMCB Public Schedule

Governance Officer Hope Patterson provided an update on the public schedule for April and May. Chairman Aiello asked that bus fleet procurement be added to the May 10 agenda. Director Kornegay asked if there would be time to discuss fare evasion regulations before a vote is taken. General Manager Poftak stated that the vote is time-sensitive so perhaps an update can be added to the April 26 agenda.

E. General Manager's Report

F. Deputy General Manager's Report

Agenda Items E and F were presented together by General Manager Poftak and Deputy General Manager Jeff Gonnevillle. Mr. Poftak reviewed the status of Covid-19 cases at the MTBA. He relayed information regarding a bond sale of over \$650 million, which resulted in an overall savings \$97 million due to the refunding of parking bonds. Mr. Poftak completed his report by reviewing ridership by mode and providing a service update for the Lowell Commuter Rail line and the bridge work on the Needham line.

Deputy General Manager Gonnevillle provided an update on Orange Line work. Director Lang asked about the cooperation from the manufacturer of the Orange Line cars. Mr. Gonnevillle replied that the cooperation was very good among the MBTA, the manufacturer and its sub-contractors.

Mr. Poftak began addressing questions posed at the last Joint MassDOT meeting regarding building back service. He said that the MBTA's goal is not to simply return service to pre-pandemic levels but to create better overall service at all levels. Mr. Gonnevillle detailed plans for such improvements. Secretary Tesler asked Mr. Gonnevillle to outline historic statistics concerning dropped trips, which Mr. Gonnevillle then reviewed. Vice-Chair Tibbits-Nutt asked if, by fall of 2021, the MBTA's head count would be similar to the pre-

pandemic head count. Mr. Gonneville said yes. Vice-Chair Tibbits-Nutt then asked if this increased head count better enables the MBTA to add back service. Mr. Gonneville replied yes and that the intent is to continue to bring back more and more service. Vice-Chair Tibbits-Nutt asked when staff will know what that fall service will look like. Mr. Gonneville stated that he should be able to answer that question within two months. Vice-Chair Tibbits-Nutt said that she understands how complex this subject is and wants to be mindful of sending a clear and simplified message to the riding public on the plans for improvements and Covid-related changes. She also commended Mr. Gonneville and the service planning team for their hard work on the planning and execution of service planning.

Secretary Tesler added that it is important to continue to explain where there are changes and additions to service. He stressed the need to continue to be able to be flexible and commended staff for the excellent level of detail.

Chairman Aiello then commented on ridership numbers for the Silver Line, noting that some buses on that route performed better than others and that it is important to parse out that information when making scheduling changes. Mr. Gonneville agreed that two lines on the Silver Line have lower levels of ridership than the other three. Chairman Aiello said that it would be helpful to a new board to disaggregate the data for these lines to better reflect the details of ridership, with which Mr. Gonneville agreed.

G. Safety Update

Acting Director, Commuter Rail Safety Timothy P. Lesniak and Chief Railroad Officer Ryan D. Colohan presented a railroad and operator safety update. Their presentation included a review of a railroad system safety plan, which was recently submitted by the Federal Railroad Administration.

Chairman Aiello commended the team for their work and asked if there was one comprehensive location for future board members to be able to review once this plan is adopted. Mr. Colohan replied that railroad safety and operations now coordinate well and that huge advances have been made with internal reporting on safety issues.

H. Budget Update

Chief Financial Officer Mary Ann O'Hara provided a summary of the operating budget results for February. Ms. O'Hara highlighted three areas of note: heavy reliance upon federal funds, strong reliance on non-operating revenue related to sales tax funds, and lower expense levels than budgeted. She noted that she would return to the board later in April to present a preliminary budget.

I. Capital Investment Plan Update

J. Regional Rail Update

Director of Rail Transformation Alistair Sawers provided an update on regional rail, Agenda Item J. Mr. Sawers provided background and discussed the Boston-Providence electric multiple unit ("EMU") pilot and Phase I electrification planning. Mr. Sawers and Director Kornegay discussed the term business case. Mr. Sawers reviewed funding for the project. Chairman Aiello thanked the team for their work. Discussion ensued between Mr. Sawers, Chairman Aiello, Mr. Poftak and Ms. Linnell about the funding necessary to complete the pilot programs within 12 to 18 months and how that funding is programmed, about the timing of the analysis on equipment procurement alternatives, and the timing of CIP approval. Chairman Aiello also expressed concern that Mr. Sawers is currently the only employee of the rail transformation.

Director of Capital Program Planning Jillian Linnell provided an update on the CIP. She reviewed milestones in anticipation of a full presentation at the Joint MassDOT board meeting on April 26.

Ms. Linnell first reviewed the timeline for CIP development. Chairman Aiello asked for information about the Transportation Improvement Program (“TIP”) and whether the FMCB should review it. Ms. Linnell replied that the TIP is part of the CIP and reflects only federal elements. Chairman Aiello asked if staff would like the FMCB’s views on aligning objectives with criteria for programs now being used. Ms. Linnell responded that any comments would be welcome. Chairman Aiello said that it would be helpful to the new board to see a bar chart by year of items in process and those in the planning stage.

K. Mid-year Tariff Changes

Senior Manager of Fare Policy Analysis Andy Stuntz presented an update on July fare change proposals and fare pilot updates. He reviewed the second phase of the fare transformation plan and the proposed three changes to fare rules, taking effect on July 1. He said that a vote will be scheduled for the May 10 meeting.

Chairman Aiello suggested that there needs to be a complete re-thinking of fare policies for commuter rail and how those policies relate to regional rail systems. Mr. Stuntz agreed and stated that prior to the pandemic, a study regarding that subject was released and it now is necessary to re-review that study and begin working with Mr. Sawers to plan. Chairman Aiello suggested that the team create a document that considers all aspects of fare policies to share with the new Board.

Vice-Chair Tibbits-Nutt asked about means-tested fares and if there are long-term plans for the entire network, urging the staff to complete studies and evaluate findings.

Deputy Director of Policy and Strategic Planning Lynsey Heffernan said that the team is

looking information gathered via public hearings and the policies in this regard that are affecting riders. A discussion ensued between Vice-Chair Tibbits-Nutt, Mr. Stuntz, and Ms. Heffernan concerning communication with the public on the topics of means-tested fares and commuter rail zone charges. Chairman Aiello said he appreciated the community engagement but cautioned against public input replacing staff and committee input on these matters. He reiterated Director Kornegay's previous request for more information on means-tested fare programs and concerning possible partners for such programs. Mr. Poftak replied that the five-day pass was an initial effort in this regard and that the staff is working on more options, but that identifying partners has been difficult. Ms. Heffernan agreed and added that the pandemic has made ridership predictions difficult to gauge.

Director Kornegay reiterated her concern that discussion around means-tested fares has not progressed. Discussion ensued among Chairman Aiello, Vice-Chair Tibbits-Nutt, Mr. Poftak and Ms. Heffernan about how to best make progress on the topic. Vice-Chair Tibbits-Nutt also suggested a fare-free day or week in the fall and asked if the staff could return to the FMCB in the May 10 meeting to discuss. Ms. Heffernan agreed to attend the May 10 meeting with information on the subject.

L. Executive Session

Upon reaching the end of the agenda, Chairman Aiello announced that the FMCB would enter executive session to discuss strategy concerning a litigation matter. He concluded, with the agreement of the General Counsel, that the discussion of such strategy in an open session could have a detrimental effect on the position of the MBTA. The Chairman explained that the FMCB would not return to open session after the conclusion of executive session.

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

VOTED: to adjourn to Executive Session at 3:37 p.m.

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

Documents relied upon for this meeting:

- April 12, 2021 Agenda
- FMCB Public Schedule
- Report from the General Manager
- Safety Update: Railroad System Safety
- Safety Update: Supplemental Memo
- Budget Update
- Budget Update – Supplemental Memo
- Capital Investment Plan
- Midyear Tariff Changes
- Rail Transformation Update