



MINUTES

Meeting of the Massachusetts Bay Transportation Authority Board of Directors

December 19, 2024, AT 10:00 A.M.

10 Park Plaza, 2nd Floor Board Room, Suite 2890
Boston, MA 02116

Public participation and comment occurred via written communication, voice message and in-person public comment.

This meeting was broadcast virtually.

**BOARD MEMBERS
PARTICIPATING IN-
PERSON:**

Chair Tom McGee, Director Thomas Koch, Director
Charlie Sisitsky, Director Chanda Smart, Secretary
Monica Tibbitts-Nutt

**BOARD MEMBERS
PARTICIPATING
REMOTELY:**

Director Peter Koutoujian, Director Mary Skelton
Roberts

**BOARD MEMBERS
ABSENT:**

Director Eric Goodwine, Director Robert Butler

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

Deputy Chief of Staff Darrin McAuliffe, General
Manager Phillip Eng, Chief Engineer Sam Zhou, Chief
Safety Officer Tim Lesniak, DPU Rail Transit Safety
Director Robert Hanson, Executive Director of
Commuter Rail Mike Muller

Others Present:

General Counsel Douglas McGarrah, Acting Chief
Counsel John Martin, Counsel- Corporate
Governance Noah Potash

1. Safety Briefing

Deputy Chief of Staff Darrin McAuliffe provided a safety briefing, pointing out the board room's safety features and exit routes.

OPEN OF MEETING/Call to order by the Chair

Chair Tom McGee called the meeting of the Massachusetts Bay Transportation Authority (“MBTA”) Board to order at 10:00 a.m. Noah Potash called the roll of the MBTA Board of Directors participating, being a quorum of the MBTA Board:

Chair McGee	Present
Director Koch	Present
Director Koutoujian	Present
Director Sisitsky	Present
Director Skelton Roberts	Present
Director Smart	Present
Director Tibbits-Nutt	Present

Chair McGee welcomed new board member Peter Koutoujian.

EXECUTIVE SESSION

2. To consider the purchase, exchange, lease or value of real property

Chair McGee said that the next item on the agenda was an executive session to consider the purchase, exchange, lease or value of real property. He added that he had determined that an open meeting could have a detrimental effect on the negotiating position of the MBTA. The Chair noted that the Board would return to open session following the discussion.

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

VOTED:

To enter executive session to discuss strategy with respect to litigation and to investigate charges of criminal misconduct or to consider the filing of criminal complaints.

Chair McGee	Yes
Director Koch	Yes
Director Koutoujian	Yes
Director Sisitsky	Yes
Director Skelton Roberts	Yes
Director Smart	Yes
Director Tibbits-Nutt	Yes

Note: The Board deliberated in executive session from 10:02 a.m. to 10:46 a.m. Secretary Tibbits-Nutt recused herself from a portion of the Executive Session discussion and was not present for that portion.

OPEN SESSION/REPORTS, PRESENTATIONS & ACTION ITEMS

3. Consent Agenda

Chair McGee explained that a vote to adopt the consent agenda would approve the November meeting minutes, updates to the Service Delivery Policy, and updates to the Deferred Compensation Committee.

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

VOTED:

To adopt the consent agenda.

Chair McGee	Yes
Director Koch	Yes
Director Koutoujian	Abstain
Director Sisitsky	Yes
Director Skelton Roberts	Yes
Director Smart	Yes
Director Tibbits-Nutt	Yes

Public Comment Period #1

Eugene Dunston of Arlington requested that the MBTA provide underground sewage tanks to protect Alewife Brook.

Christine Anderson discussed the impacts of Alewife Brook flooding and requested retention tanks and community input.

Heather Hoffman thanked the MBTA for a smooth Red Line trip and raised concerns about a rail access tunnel for the Red Line that would disturb contaminated soil.

Jeff Mays discussed concerns about asbestos in the planned tunnel area and expressed opposition to converting the Alewife linear park to a bicycle pathway.

Alie Costillo said she was impressed by the work on slow zones and raised concerns with the contaminated soil related to the access tunnel.

Charles Teague discussed the need for preventing tree loss along the Alewife path and called for the MBTA to enforce the code of conduct.

4. General Manager's Report

General Manager Phillip Eng began his report by acknowledging the public comments. He then played a brief summary video of the Track Improvement Program ("TIP"). He said that all slow zones should be removed by December 21st and that any new speed restrictions would be addressed in days or weeks. He reviewed increased trips and shorter headways enabled by the process, noting that the MBTA is tackling the root causes of issues. Mr. Eng said that the MBTA plans to get riders back by providing robust, reliable frequent service, timely and appropriate maintenance and an accessible, modern, multimodal system. The General Manager said that he wanted to build on these successes and restore public trust and deliver meaningful results for riders. He highlighted upcoming 50 mph service on the Red Line. He said that the TIP had saved a cumulative 2.4 million minutes a day for riders. Outlining the MBTA's plans to focus on accessibility and modernization for 2025, Mr. Eng discussed implementation of ATC/PTC on all 394 miles of the commuter rail network, rolling out BEMUs, and launching the Bus Network Redesign. He emphasized the importance of delivering results. Mr. Eng concluded his report with a summary of recent events for the community and MBTA employees.

7. Department of Public Utilities Annual Report

Department of Public Utilities (“DPU”) Rail Transit Safety Director Robert Hanson presented the DPU’s annual report, reviewing the federal requirements for a state safety oversight agency and plan and reviewing the expansion of his team since 2022. Mr. Hanson discussed how his team provides oversight for events and investigations. He discussed how his team uses data to drive decisions. Mr. Hanson discussed risk classifications, compared FTA reporting thresholds to state reporting thresholds, and reviewed the DPU’s on-scene response procedures. He broke down DPU responses to each subway line in 2024, then discussed field observations and field activity by month. He discussed the use of Corrective Action Plans and the DPU’s diversion monitoring for the TIP. Mr. Hanson then discussed DPU successes on the FTA findings and the 2024 triennial audit. He said that the DPU’s risk-based inspection program was approved by the FTA in 2024 and reviewed some initiatives and activities of note, including the SMART database and dashboards. He said that the DPU was fully staffed, increasing its use of data and its transparency, and added that he was proud of effective communications on problems. Secretary Tibbits-Nutt thanked Mr. Hanson and said that his discussion of classification information was helpful. Director Smart said that the presentation was helpful and informative.

6. Safety Program Update/Transit Safety Plan

Chief Safety Officer Tim Lesniak reviewed updates to the Transit Safety Plan based on comments from the DPU and regulatory updates.

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

VOTED:

As required by 49 CFR § 673.11 (a)(1), the MBTA Board of Directors hereby approves the updates to the Massachusetts Bay Transportation

Authority Transit Safety Plan for 2024, as presented to the Board on December 19, 2024.

Chair McGee	Yes
Director Koch	Yes
Director Koutoujian	Yes
Director Sisitsky	Yes
Director Skelton Roberts	Yes
Director Smart	Yes
Director Tibbits-Nutt	Yes

Mr. Lesniak then provided his report, beginning with a discussion of NTD Reportable Safety Events. He said that there is more nuance in managing risk than there is in reporting and then discussed the risk assessment process. Mr. Lesniak noted that all events are tracked whether they are reportable or not. He discussed work to identify hazards that can lead to safety events and discussed risk ratings. He explained how safety events and investigations flow into risk assessments, corrective actions and/or mitigations. Mr. Lesniak discussed the MBTA Bus Intersection Review Project, which will identify potential turning hazards, beginning with the top 10 highest-collision routes. He said that early data from the project shows that turn-based collisions are relatively low. He said that there were no major safety events in the past month. Director Smart asked for examples of safety campaigns and Mr. Lesniak cited a campaign to prevent hands getting caught in closing doors on the Red Line which utilized signage and public announcements. Secretary Tibbits-Nutt asked what classifies as a major incident and Mr. Lesniak said that it would be high risk and that there were no major collisions or public derailments. The Secretary requested that the next presentation include examples as the DPU did in their report.

5. Track Improvement Program Summary

Chief Engineer Sam Zhou presented a summary of the work completed under the

Track Improvement Program. He discussed how the program divided the system into segments to perform track work efficiently and reviewed the timeline and adjustments work based on lessons learned. He reviewed the restriction-free milestones by line and discussed program metrics, noting that the MBTA exceeded its goals on tie and rail replacements, tamping, travel time reductions, and lifting speed restrictions. He said that 93 minutes of travel time were given back to riders and service had improved with more scheduled trips and shorter headways. Mr. Zhou discussed work to achieve safety and efficiency goals during the TIP and work to address root causes. He discussed the importance of collaboration between operations and capital and the impact of efficient work scheduling, completing four decades of deferred maintenance in a year. Mr. Zhou also discussed work to ensure that work safety standards were followed and concluded with positive feedback from riders.

Public Comment Period #2

Daniel Tavares, a commuter rail worker, commended the board for its support that had helped the union reach a tentative agreement with Keolis. He reviewed the history of new commuter rail operators and the impact on employee wages.

Caitlin Allen Connolly of A Better City congratulated the MBTA on the TIP success and discussed the Regional Rail RFI and Commuter Rail Procurement.

Mela Bush Miles of Action for Equity requested that the Board play public comments received via voicemail during board meetings and expressed excitement about the Fairmount Line work.

Evan Foss echoed Ms. Bush Miles' comments and stated that the bi-level coaches cannot be used with BEMUs. He thanked Director Butler for preventing an unscheduled discussion of union negotiations at the previous meeting.

Nicole Costas thanked the MBTA for Red Line improvements and discussed the need for retention tanks and public input at Alewife.

8. Regional Rail RFI Update

Executive Director of Commuter Rail Mike Muller provided an update on the Regional Rail RFI, stating that the goals for regional rail modernization include better connections, decarbonization, safety, quality, on-time performance, right-sizing the contract, and maintaining a highly skilled union workforce. He said that 32 responses to the RFI were received and 29 meetings with firms have been held. Mr. Muller said that the feedback received indicates that a single passenger service operator is preferred, and firms want clear visibility on asset conditions. Firms expressed interest in providing decarbonized rolling stock and a desire for realistic procurement timeframes. He said that the preferred contract terms were 10 years for passenger service operations, 7-15 years for rolling stock maintenance, and 25 years for infrastructure and financing. Mr. Muller said that there were mixed responses on whether to split the contract.

Note: Director Sisitsky left the meeting at 12:46 p.m.

Mr. Muller discussed three potential options, including the current arrangement (an Operations Company contract, which would result in funding difficulties and limited bidders), a single Rail Company contract (which would reduce interfaces and have limited bidders), and a split Operations Company Infrastructure Company contract, which would improve interfaces, focus on firms' strengths, and open up more funding

routes and more bidders. He provided a comparison with peer commuter rail options, including the Long Island Railroad's public model, the MBTA/Northeast Corridor's split between a contractor and Amtrak, and agencies which use host freight railroads or other contractors for dispatch and infrastructure operations and maintenance. Mr. Muller said that the key components of the contract would include investment in the workforce, with collective bargaining agreements carrying over, supporting the workforce in negotiations, training for new technology, protecting fare revenue by incentivizing fare collection, operational improvements for better service (including time performance and the customer experience), retaining MBTA control over daily schedules and construction closures, and delivering regional rail via improved frequency, decarbonization, and bi-directional all-day service. Director Koch asked about the board's roll and Mr. Muller said that there would be a collaborative decision-making process and that the Board would authorize the funding. General Counsel Doug McGarrah noted that the board's role has been approving the contract and funding but added that input from the board on the contract structure would be taken into consideration. Chair McGee said that this was the first step in an ongoing process. Director Smart asked which peer agency does this best and Mr. Muller said that the MBTA is looking at similar systems as the best comparisons and that the contract must be tailored to the system. He added that the industry is clear that there is no one "best" way. Chair McGee requested that staff continue providing information as the contract is developed. Mr. Muller noted that funding availability will also play a large role. Director Smart asked which agency is the closest to the MBTA and Mr. Muller cited East Coast systems including SEPTA, LIRR, and NJ Transit. Chair McGee said that the point on funding was well taken.

ADJOURNMENT

With no additional items on the agenda, Chair McGee asked for a motion to adjourn.

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

VOTED:

To adjourn the meeting at 12:57 p.m.

Chair McGee	Yes
Director Koch	Yes
Director Koutoujian	Yes
Director Skelton Roberts	Yes
Director Smart	Yes
Director Tibbits-Nutt	Yes

Documents relied upon for this meeting:

- December 19, 2024 Agenda
- Minutes of November 21, 2024 Board Meeting
- 1. MBTA December BOD Presentation Draft 11 19 2024 Final
- 3ia. SMI Update Dec Board 2024
- 3ib. TIP Update Full Board 12.19.2024 v2
- 3ic. 20241212_MBTA Winter 2024-2025 Preparedness
- 3iib. Service Delivery Policy Vote_Consent Agenda
- 3iib1. Service Delivery Policy Memo Dec 2024
- 3iic. Deferred Comp_Retirement Plans 12.19.2024 v2
- 3iic1. MBTA DC Final GASB 67 08.30
- 3iic2. MBTA DC Final GASB 73 08.30
- 3iic3. Write-Up for BOD Vote for Deferred Compensation Committee Members
- 4. GM Report to the Board 12.19.2024 v12A
- 5. TIP Summary for Board Zhou 12.19.2024 v2B
- 6. 2024-12-19 - Safety Board Deck
- 6b. 2024 TSP Revision Board Summary
- 6c. MBTA 2024 Transit Safety Plan DRAFT Board Review
- 7. DPU MBTA Board Presentation - Dec 2024 Final_
- 8. Final_ Regional Rail RFI Update_MM