

Board of Directors Meeting
SSTDC Conservation Commission
March 10, 2014 @ 4:00pm
SSTDC Town Hall, Conference Room

Directors Present: Joseph Connolly, Chairman
John R. Ward, Vice Chairman
Gerard Eramo
Jeffrey Wall
Christopher Aiello, Clerk

Also Present: Kevin R. Donovan, CEO
James A. Wilson, CFO
Jim Young, Project Manager
Steve Ivas, Conservation Agent

The Chairman called the meeting to order at 4:00pm and welcomed the new member to the Board of Directors representing the Town of Abington, Chris Aiello

Reorganization – Election of a Clerk to the Board of Directors

VOTED: Motion of Gerard Eramo, seconded by Jeffrey Wall, to elect Chris Aiello as Clerk of the Corporation.

Unanimous vote Mr. Aiello accepted the position.

CONTINUED PUBLIC HEARING - Conservation Commission – opened 4:01pm

Amended NOI for TACAN Outfall Drainage Ditch Weir

The Project Manger noted the public hearing had been continued to allow time to review and respond to comments received from Nover Armstrong Associates (agent to Rockland Conservation Commission); and that a site visit occurred last week. Mr. Young read from a letter submitted by Nover Armstrong on March 10th. The letter noted that it appeared that the best available information was utilized to design the replacement weir, and recommended that SSTDC take temporary control measures to prevent potential flooding in the Town of Rockland until a permanent structure was built. The Board was informed that their approval would start the process with the regulatory agencies to get the project permitted as soon as possible, and that a temporary structure would be explored during the remaining permitting process.

PUBLIC COMMENTS

Ms. Parsons, Rockland, was informed that river crossing standards were adhered to for the Weir design, and that the design would encourage the highest possible species diversity to the site (i.e. fish). Ms. Parsons submitted written comments to the Project Manager and requested a written response.

VOTED: Motion of Gerard Eramo, seconded by John Ward, to close the Public Hearing - closed 4:05pm
Unanimous vote

Board Measure 13-013

VOTED: Motion of John Ward, seconded by Gerard Eramo, to approve the Amended Notice of Intent

**dated November 26, 2013 for the after-the-fact removal and the proposed replacement of the TACAN Outfall Drainage Ditch Weir. All conditions of the approval shall be as noted in the Order of Conditions prepared by the Corporation's Conservation Agent
4-0-1 vote Director Aiello abstained**

Report from CEO and CFO on proposed Legislative Changes

The CEO noted that after reviewing recent meetings in Weymouth and Rockland, several LNR/Starwood issues caught their attention that were deemed important enough to change in the Enabling Legislation including: a reasonable funding mechanism for water/wastewater projects, Parkway deficiency payment, streamlined zoning changes, revenue stream to the Host Towns and reduction of administrative costs. If the Board approved the proposal, it would then be submitted to the three Town Executive bodies for review, and referral to Abington and Rockland Town meetings and a Special Weymouth Town Council meeting for a legislative vote. The CEO and CFO presented their proposal to the Board of Directors that accommodated those issues with the hope of finding a compromise with the Master Developer.

They recommended the following:

- Section 1: a) Expand the qualification for a Director to include a member of an organized labor board
b) No Director or employee of the Corporation may be an elected official of Abington, Rockland or Weymouth
- Section 2: a) Add an administrative position, Executive Secretary, effective January 1, 2016
b) Eliminate Executive Director and Chief Financial Officer, effective January 1, 2016
- Section 3: Change the method of amending zoning by-laws by eliminating the need for Legislative Body Approval, and substitute Administrative Approval from the Town in which the zoning change lies and from SSTTDC Board of Directors
- Section 4: Require an annual distribution to each of the three Host Towns totaling in the aggregate, 10% of tax revenues commencing in FY2017
- Section 5: a) SSTTDC may borrow from MWPAT for water and sewer projects
b) Compliance required with existing Quincy and South Shore Building & Trades Project Labor Agreement
- Section 6: Parkway Agreement – the deficiency payment stream commencing with the building of 450,000 square feet of commercial space and annually thereafter
- Section 7: Changes to be immediately effective upon enactment except for the deletion of Executive Director and Chief Financial Officer Positions which is delayed until January 2016

Mr. Donovan suggested it would be prudent to get comments back from the Mayor and Boards of Selectmen no later than April 2nd to be incorporated into a revised final document, to be voted on by the Board of Directors, and referred to communities for formal town meeting vote and then submitted to State Legislature.

Mr. Wall thanked Mr. Donovan and Mr. Wilson for bringing a recommendation forward, and suggested that the Board of Directors be expanded to also include the Secretary of Administration and Finance, or his designee, as they are a major stakeholder in this project.

Mr. Connolly agreed that the State and Organized Labor should have a seat on the Board. He thanked the CEO and CFO for looking and listening to the comments of the three Host Towns, and noted that creating a consistent revenue stream to the three Host Towns meant the elimination of Mr. Donovan's and Mr. Wilson's jobs. The Chairman appreciated CEO/CFO efforts to move the project forward. All agreed to expand the Board from five (5) to seven (7) Directors, and for the two new seats to be Governor appointed representatives.

Mr. Eramo also thanked the CEO and CFO for their work on this document and noted that the distribution of revenue to the Towns was a big step in the right direction.

Mr. Ward noted this was a fluid document at this point and needed input from the towns.

Board Measure 14-005

VOTED: Motion of John Ward, seconded Chris Aiello, that in accordance with provisions of Sub-section 14 of Section 37 of Chapter 303 of the Acts of 2008, I move that the Board of Directors refer the proposed legislative changes as recommended herein to the Mayor of Weymouth, Weymouth Town Council and Boards of Selectmen of Abington and Rockland to seek their comments on or before April 2, 2014

Unanimous vote

Financials

The CEO noted there were three financial matters before the Board:

1) The Town of Weymouth unpaid water bill required a reserve fund transfer to the Enterprise Fund. Mr. Ward was informed the bill came in after July 30th when FY13 books were closed.

Board Measure 14-003

VOTED: Motion of Jeffrey Wall, seconded by Gerard Eramo, that the Board of Directors authorized the transfer of the sum of \$11,528.39 from the Water and Sewer Reserve Fund (Balance \$15,095) to line item 11336730.578107 for the purpose of paying the FY2013 unpaid bill to the Town of Weymouth for June water and sewer charges for irrigation; and that the Accountant with the assent of the Chief Executive Officer is authorized to pay such bills in such amounts as they deem appropriate but not to exceed the total amount stated above

Unanimous vote

2) Four invoices were sent by vendors in FY14 for services that were rendered during FY13. The CFO noted there would be one more unpaid MUNIS bill to come before the Board once the specific service provided in FY13 had been verified.

Board Measure 14-004

VOTED: Motion of Jeffrey Wall, seconded by Gerard Eramo, that the Board of Directors authorized the transfer of the sum of \$8,656.09 from the Reserve Fund (Program 132 Balance \$32,617.70) to line

item 11336730-578107 for the purpose of paying the following FY13 unpaid bills:

a) \$4031.25 to Powers and Sullivan for the Single Audit per Federal Requirements

b) \$370.00 to Hartford for Workers Comp Assessment FY2013

c) \$339.84 to LNR for Electricity in FY2013 for MGA street lights

d) \$3,915.00 to MUNICAP for FY2013 Special Assessment May

And that the Accountant with the assent of the Chief Executive Officer is authorized to pay such bills in such amounts as they deem appropriate but not to exceed the total amount stated above

Unanimous vote

3) Delinquent Water and Sewer Charges

At the last meeting the Board was informed of outstanding water and sewer charges, and their statutory authority to establish a real estate lien on all the properties associated with unpaid water charges. The Enterprise Fund had outstanding receivables in the amount of \$70K. The CFO predicted if balances remained unpaid and revenue deficit occurred, the tax rate for FY15 would not be certified until all revenue deficits were dealt with by the Board of Directors.

The CFO recommended the Board approve a temporary increase in the Water and Sewer rates of 20% to all rate payers, to be rescinded if delinquent rate payers make timely payments, and that shut off notices be sent to each delinquent rate payer. Mr. Wilson also recommended freezing all expenditures within the Enterprise Fund except for salaries, DEP required expenditures and charges from the Town of Weymouth.

Mr. Ward was informed that LNR was \$69K delinquent on water/sewer charges and \$356K delinquent on the Parkway Deficiency payment.

Mr. Wall was informed that a meeting with LNR/Starwood on unpaid water bills did not take place, but they did make one inquiry for a copy of all outstanding charges (total \$69K) and submitted a payment of \$9K. Ms. Daniels, LNR/Starwood, insisted that one water charge 6 months overdue (\$57K) was not LNR's responsibility. Mr. Wall voiced concern on raising water rates on all SouthField bill payers, and asked if the increase could be held in abeyance to allow time for the issue to be resolved.

The CFO stated the rate change would go into effect on April 1, 2014.

Board Measure 14-006

VOTED: Motion of John Ward, seconded by Gerard Eramo, that the Board of Directors enact the following effective immediately:

a) It is reaffirmed that the CFO is authorized to institute Lien Processing on all outstanding water and sewer charges for those delinquent rate payers.

b) That the CFO is authorized to 'freeze' all Enterprise Fund expenditures except for charges from the Town of Weymouth, salaries and costs associated with DEP required actions.

c) That a temporary water and sewer rate increase of 20% is effective immediately to overcome a potential revenue deficit

d) That a shut off notice be sent to each delinquent rate payer on the attached aging report, with a shut off being effective April 1, 2014

e) That the CFO is authorized to rescind the rate increase specified above in the event that all delinquent rate payers bring their accounts current.

Unanimous vote

Minutes

VOTED: Motion of Gerard Eramo, seconded by John Ward, to accept the minutes of the Board of Directors meeting held on February 10, 2014

4-0-1 vote Director Aiello abstained

VOTED: Motion of Gerard Eramo, seconded by Jeffrey Wall, to adjourn the meeting

Unanimous vote

Mary Cordeiro, Recording Secretary

Joseph Connolly, Chairman of the Board

Documents reviewed at the meeting:

Nover Armstrong Assoc. response 13-013

Proposed Legislative Changes 14-005

Town of Weymouth charges 14-003

FY13 unpaid bills 14-004

Aging Report water charges 14-006