



EXECUTIVE COMMITTEE MEETING #1 (FY22) MINUTES

Tuesday, August 17, 2021
10:00 AM – 11:00 AM

Quincy City Hall - Lower-Level Conference Room
1305 Hancock St, Quincy, MA 02169

And Via Zoom:

- A. **Call to order:** The meeting came to order at 10:09AM. All officers were present.
- B. **Roll Call:** Brian Kane (Executive Director) called the roll. Attendance is recorded below. 20 of 22 member communities were present.
- C. **Remote participation:** Members discussed a resolution to authorize remote participation of their meetings in accordance with 940 CMR 29.10. Following discussion, Rob Scherer (Ashland) made a motion to approve as presented, and Joe DePriest (Chelsea) seconded. The motion carried unanimously.
- D. **Website Meeting Postings:** In accordance with 940 CMR 29.10, members discussed adopting the MBTA Advisory Board's website as its official posting platform. This would be instead of posting paper notices in 176 cities and towns. Members will continue to receive meeting notifications by email, and agendas will continue to be sent to the AG and Secretary of State's offices. Roy Epstein (Belmont) made a motion to approve as presented. Todd Kirrane (Brookline, Treasurer) seconded this motion, which carried unanimously.
- E. **Accept delegation of Authority:** At its annual general meeting on June 29, 2001, the advisory board voted unanimously to delegate its authority consistent with its enabling legislation and by-laws to the executive committee. Members of the

executive committee discussed formally accepting this authority as a matter of procedure. Vineet Gupta (Boston, Clerk/Secretary) expressed opposition to this because it dilutes the weighted vote of the City of Boston. Boston requested that either the executive committee's votes be weighted, or that important matters be brought to the full body for consideration. Following discussion, Rob Scherer (Ashland) made a motion to approve accepting the delegation of authority as presented. Joe DePriest (Chelsea) seconded this motion, which carried by a vote of 19-1, with Boston voting in the opposition.

F. Appointment to the MBTA Board of Directors. Section 19 of chapter 29 of the acts of 2021 requires that 1 person be appointed by the advisory board to the new MBTA Board of Directors. Members of the executive committee, consistent with the by-laws of the organization and its enabling legislation, discussed whom to appoint. The legislation requires that this appointee "have municipal government experience in the 176 cities and towns comprising the service district, plus as experience in transportation operations, transportation planning, housing policy, urban planning or public or private finance. The Advisory Board's appointee shall represent either the inner core, the 51 cities and towns, or the other communities served. The term of the Advisory Board's appointee is 4 years, with the possibility of reappointment once."

After the chair requested nominations, Brian Arrigo (Revere, Vice Chair) nominated Thomas Koch (Quincy, Chair) for appointment to the MBTA Board of Directors. Joe DePriest (Chelsea) seconded this motion. Mayor Koch accepted the nomination. There were no other nominations. The chair closed



nominations. Thomas Koch of Quincy was elected as the MBTA Advisory Board's appointee by a vote of 19-0-1 with the City of Boston abstaining. Ruthanne Fuller (Newton) offered congratulations to the chairman on his selection.

G. **Adjourn.** Joe DePriest (Chelsea) moved to adjourn. Rob Scherer (Ashland) seconded. The motion carried unanimously, and the meeting adjourned at 10:39AM.

Meeting Attendees:

Town of Arlington	Lenard Diggins
Town of Ashland	Robert Scherer
Town of Belmont	Roy Epstein, PhD
Town of Bourne	Glenn D. Cannon, P.E.
Town of Brookline	Todd Kirrane
City of Boston	Vineet Gupta, Matt Moran
City of Cambridge	William Deignan
Town of Canton	P. Christopher Podgurski
City of Chelsea	John DePriest
City of Everett	Jay Monty
Town of Hull	Jennifer Constable
City of Lynn	William Bochnak
City of Medford	Todd Blake
Town of Milton	Michael Dennehy
Town of Natick	Josh Ostroff
City of Newton	Hon. Ruthann Fuller, Jason Sobel
Town of Norwood	Joseph Collins
City of Quincy	Hon. Thomas Koch, Frank Tramontozzi, P.E.
City of Revere	Hon. Brian Arrigo
City of Somerville	Brad Rawson



RESOLUTION TO PERMIT REMOTE PARTICIPATION

WHEREAS: The MBTA Advisory Board strives to comply fully with the letter and spirit of all applicable Open Meeting Laws of the Commonwealth of Massachusetts, and;

WHEREAS: The Code of Massachusetts Regulations (CMR) Title 940, Section 29.00 offers the Office of the Attorney General's interpretation, enforcement, and effectuation of the Commonwealth of Massachusetts Open Meeting Laws;

NOW, Therefore Be it Resolved: That the Executive Committee of the MBTA Advisory Board, for itself and on behalf of the MBTA Advisory Board, and its committees, votes to allow remote participation in accordance with the requirements of 940 CMR 29.10.



RESOLUTION ADOPTING WEBSITE AS OFFICIAL NOTICE POSTING METHOD

WHEREAS: The MBTA Advisory Board strives to comply fully with the letter and spirit of all applicable Open Meeting Laws of the Commonwealth of Massachusetts, and;

WHEREAS: The Code of Massachusetts Regulations (CMR) Title 940, Section 29.00 offers the Office of the Attorney General's interpretation, enforcement, and effectuation of the Commonwealth of Massachusetts Open Meeting Laws; and

WHEREAS: 940 CMR 29.03 permits regional bodies, such as the MBTA Advisory Board, to adopt its website as its official notice posting method;

NOW, Therefore Be it Resolved: That the MBTA Advisory Board, for itself and on behalf its committees, votes to adopt its website its website as its official notice posting method. Notices will be available on the calendar section of the website at <https://mbtaadvisoryboard.org/community/calendar/>

RESOLUTION TO ACCEPTING DELEGATION OF AUTHORITY

WHEREAS: At its June 29, 2021, meeting the MBTA Advisory Board, with a quorum present and voting, unanimously approved the following statement:

Consistent with the by-laws of the organization, the Advisory Board delegates its powers to the Executive Committee established and elected under the by-laws of the board, and duly constituted. The Executive Committee is empowered to act for the full board on all matters not reserved for the full body in its enabling legislation for the period July 1, 2021 – June 30, 2022.

and;

WHEREAS: The Executive Committee, meeting on August 17, 2021, with a quorum present and voting, shall discuss and consider accepting the resolution of the full MBTA Advisory Board.

NOW, Therefore Be it Resolved: That the Executive Committee of the MBTA Advisory Board accepts the delegation of authority from the MBTA Advisory Board to act on behalf of, and for the full Advisory Board on all matters not reserved for it in the enabling legislation, for fiscal year 2022 (July 1, 2021 – June 30, 2022).

TO: Executive Committee Members
FROM: Brian Kane, Executive Director
DATE: August 17, 2021
RE: Advisory Board's appointee to the new MBTA Board of Directors

The Advisory Board's enabling legislation and by-laws are silent on the procedure to select an appointee to the MBTA Board of Directors. The Advisory Board, by unanimous vote at its annual general meeting on June 29, 2021, delegated to the Executive Committee the power to act on its behalf on all matters not reserved for it in its enabling legislation, for the period July 1, 2021 – June 30, 2022. Under this delegation, the Executive Committee is empowered to adopt an appointment procedure and use it to make its appointment to the MBTA Board of Directors.

Procedure:

The Executive Committee, at its sole discretion, and on behalf of the full Advisory Board will appoint a person who meets the requirements of Chapter 29 of the Acts of 2021 in the following manner:

- The meeting's chair shall request nominations from members of the committee present at the meeting.
- Only when recognized by the chair, may a member make their nomination.
- Any person nominated must have their nomination seconded by different member of the committee.
- The person nominated should confirm verbally that they accept the nomination, once seconded. At this time, the chair may recognize them to speak briefly about their qualifications for appointment, and goals and objectives as the Advisory Board's appointee.

- The chair shall close nominations once they are satisfied that the committee has completed nominations.
- Following the close of nominations, the chair will call for a vote of the committee on the nominee(s). This vote will take place by the call of the role.
- In accordance with the by-laws, each committee member may cast one vote.
- Each committee member may only vote for one nominee during each round of voting.
- The nominee with the most votes of Executive Committee members shall be deemed to be elected by the Advisory Board as its appointee to the MBTA Board of Directors.
- The Executive Director notify the Governor and other interested parties of the Advisory Board's choice of appointee to the MBTA Board of Directors in writing.

All disputes, challenges, questions etc. shall be adjudicated by the meeting's chair under guidance from the organization's By-Laws and best practices.

Requirements:

Section 19 of chapter 29 of the acts of 2021 requires that 1 person be appointed by the advisory board. This appointee must have municipal government experience in the 176 cities and towns comprising the service district, plus as experience in transportation operations, transportation planning, housing policy, urban planning or public or private finance. The Advisory Board's appointee shall represent either the inner core, the 51 cities and towns, or the other communities served. The term of the Advisory Board's appointee is 4 years, with the possibility of reappointment once.